

SENATE—Wednesday, April 29, 1987

(Legislative day of Tuesday, April 21, 1987)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable TERRY SANFORD, a Senator from the State of North Carolina.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Remember now thy creator, in the days of thy youth while the evil days come not, nor the years draw nigh when thou shalt say, I have no pleasure in them. Ecclesiastes 12: 1.

Merciful God, yesterday in a somber memorial in the rotunda, we were reminded of the holocaust—that incredible, unspeakable, unimaginable violation of the sacredness of life and human dignity. We were made aware of the irrational nature of racial bigotry. We remembered our own history with its tragic record of racism and prejudice. We were reminded that the opposite of love is not hate but indifference—indifference the ultimate evil. Forgive us, Lord, for our indifference which allows the erosion of all that we hold dear as Americans: Indifference to the suffering of others—to poverty, hunger, homelessness, exploitation. Forgive us for our indifference to evil, to error, to deceit, to greed and lust—for our indifference to indifference. Forgive us for our indifference to truth, to justice, to righteousness, to You, Lord. Engender in us a flash point against this evil and teach us intolerance against all that is destructive of humanness. We ask this in the name of Him Who is love incarnate. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. STENNIS].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 29, 1987.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TERRY SANFORD, a Senator from the State of North Carolina, to perform the duties of the Chair.

JOHN C. STENNIS,
President pro tempore.

Mr. SANFORD thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. BYRD. Mr. President, I yield my time to Mr. PROXMIRE.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I thank the distinguished majority leader.

TIME FOR TOTAL NUCLEAR AND CONVENTIONAL ARMS CONTROL

Mr. PROXMIRE. Mr. President, it is time we took a long, hard look at our arms control strategy. Secretary Gorbachev and the Soviet Union have effectively put our country in the position of opposing a superpower agreement for a mutual reduction of nuclear arms with effective verification. Does this represent a true picture of our country's attitude on arms control? Of course not. But consider what has happened in the past few months. The Soviet Union concluded a unilateral cessation of all nuclear weapons tests that lasted for a year and a half. Repeatedly during this time, the U.S.S.R. challenged the United States to join in the testing moratorium. Repeatedly we refused. Our country was particularly vulnerable on the nuclear weapons testing ban because twice—once in signing the 1963 limited test ban treaty and again in signing the 1974 treaty limiting the size of underground nuclear weapons explosives—the United States had pledged to negotiate a mutual comprehensive test ban treaty with the Soviet Union prohibiting all future nuclear weapons tests. Our country has not kept that promise.

Second, while the United States and the Soviet Union had failed to reach agreement on a comprehensive freeze on nuclear weapons or an overall mutual cutback of nuclear weapons, for months, both sides have indicated they will agree to a drastic reduction or even the elimination of intermediate range nuclear weapons deployed in Europe. The administration proposed it. Gorbachev agrees, in fact he suggests the agreement should go further. He says it should provide for the withdrawal of all short-range weapons from Europe. In fact Gorbachev says

he would even agree to a mutual cutback of tactical nuclear weapons in Europe. The administration cries, "Hold your horses." "Not so fast." We have to consult with our European NATO partners on this. Why? Why do we hesitate to agree to diminution of nuclear weapons—intermediate, short range, tactical—the whole kit and caboodle from Europe? The answer is the nasty fact that the European array of nuclear weapons represents the heart of the European deterrent against Soviet aggression. And why is that? Because the Soviets have a far superior conventional force in Europe. The administration knows this or should know it. NATO European allies certainly know it. And you can be sure Gorbachev and the Soviets know it.

So what should we do? Many of my colleagues in the Senate as well as the administration will tell us there is only one long-range answer. That answer: Build up our own NATO conventional forces in Europe: Double our tanks and planes and manpower. Then we can afford to negotiate with the Soviets on the mutual drastic cutback or even the elimination of all our European based nuclear weapons. If we protest the cost, those who favor a NATO buildup counter. They say NATO has three times the economic production—GNP—of the Warsaw Pact. We can outproduce them with one hand tied behind our backs. If we point to the Soviet superiority in military personnel, they respond: No problem, NATO has a larger population than the Warsaw Pact.

Are they right? They are right on the facts. On the strategy they are wrong, dead wrong. The fact is that neither side wins a nuclear arms race. And today neither side can win a conventional arms race.

So what do we do? The answer. Both sides win with arms control. Both free their resources for building a better life. Both sides reduce the prospect of a superpower war. Whether that war were nuclear or conventional, we know it would be appallingly destructive. Few people appreciate the grim fact that a conventional, I repeat conventional, superpower war, in 1987 or thereafter even in the unlikely event that it never went nuclear, would utterly destroy both countries. Yes, there is a difference. Nuclear war would destroy both countries in days if not hours. Conventional war would take a year or two. But both would

end with the same utterly devastating result.

So the answer is not a massive NATO conventional buildup. The answer is across-the-board nuclear and conventional arms control. The answer is the negotiation of mutual, verifiable agreements that will bring reduction of both conventional and nuclear weapons to the lowest level consistent with credible deterrence.

WILLIAM A. WHITESIDE—CHAMPION FOR AMERICA'S NEIGHBORHOODS

Mr. PROXMIRE. Mr. President, among the legions of Federal bureaucrats there are a few individuals who represent a level of competence and commitment to public service that is not well beyond the commonplace, but could be used as a standard to which all public servants might aspire. William A. Whiteside, Executive Director of the Neighborhood Reinvestment Corporation, is one of these rare and admirable people. His successes are evidence which distinguish him, and which compel our recognition and commendation of his efforts.

Mr. Whiteside is the champion for America's neighborhoods. Beginning over 17 years ago, he was the major author of programs which lead to the creation of the Urban Reinvestment Task Force, which was succeeded in 1978 by the Neighborhood Reinvestment Corporation. The past decade is an indication of the challenges he has taken on. In that time, the percentage of the population that is poor has grown from 12 to 15 percent of all Americans, and during the same period, the low-rent housing stock has decreased by almost 20 percent. As a result, entire families are being forced onto the streets in everincreasing numbers. Even those families who seek to organize their communities are confronted by a problem so complex and unwieldy that only systematic and personalized technical assistance, wedded to the interests of the locale, can provide more than stop-gap help.

Mr. President, for more than 15 years, Mr. Whiteside and the Neighborhood Reinvestment Corporation have served as the catalyst for a remarkably successful nationwide system of neighborhood revitalization. He has built a system based on lasting local partnerships. These partnerships—called Neighborhood Housing Services—provide an unparalleled mechanism through which a neighborhood's residents can work effectively with local business leaders and government officials to reverse neighborhood decline.

Their cooperative efforts benefit not only those living and doing business in the neighborhood, but the community as a whole. NHS's help stabilize neighborhood real estate markets, bring

about improvements in public services and infrastructure, increase neighborhood pride and image, and generally upgrade the quality of life throughout the neighborhood. These improvements and the renewed confidence they create contribute further by strengthening both the local economy and the community's tax base.

Mr. Whiteside's efforts now reach into 297 neighborhoods from Los Angeles, CA to New York City, and from Milwaukee, WI, to San Antonio, TX. Over 2½ million Americans whose income is 30 percent below median levels live in these neighborhoods—about 1 out of every 100 homes in America today.

If the measure of success was spending money in a lot of communities, then many Government programs could be called successful. However, there is a higher standard which should be used—resolution of the problem. It is this measure which William Whiteside aspired to some 17 years ago, and it is against this criterion that his efforts measure up.

Despite increasingly tight resources, Mr. Whiteside's NHS approach has proven that the fate of the Nation's declining neighborhoods can be changed, and substantial neighborhood self-reliance is an achievable goal. By 1986, 52 neighborhoods containing a population of over 350,000 people, have declared themselves substantially self-reliant. For every dollar provided by the Federal Government, \$35 are provided by the private sector. With the provision of leadership training and close technical assistance, America's neighborhoods are reorganizing themselves, reforming the basic close-knit economic and social fabric which guarantees growth and prosperity.

Mr. President, the challenge is not yet fully met. There are many housing problems on the horizon, and plenty before us at this moment. We can take pride as a nation that in the middle of all this is one public servant who has successfully wrestled this problem to a win in 52 neighborhoods, and who can be expected to successfully lead many more forward to self-reliance and prosperity. I commend to my colleagues Mr. William A. Whiteside.

Mr. President, I thank my good friend, the distinguished majority leader, and I ask unanimous consent that the remainder of his time may be reserved for his use at his pleasure later in the day.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

BICENTENNIAL MINUTE

APRIL 29, 1745: OLIVER ELLSWORTH BORN

Mr. DOLE. Mr. President, today is the 242d anniversary of Oliver Ellsworth's birth. Although little-known today, except to constitutional scholars and political historians, Oliver Ellsworth must rank as one of the most productive and influential persons ever to serve in the U.S. Senate. Born in Windsor, CT, on April 29, 1745, Ellsworth served in the Continental Congress, and as a Connecticut delegate to the 1787 Constitutional Convention. There, he was instrumental in forging the so-called Connecticut compromise. It was his idea that States be equally represented in the proposed Senate, as they were in the existing unicameral Congress under the "Articles of Confederation." The resulting compromise included this plan for the Senate, while basing representation in the House on the size of a State's population. Ellsworth was elected as one of Connecticut's first two Senators, and he served in this body until 1796, when President Washington nominated him as Chief Justice of the Supreme Court.

Ellsworth brought to the Senate of the First Congress great organizational and administrative skills. On April 7, 1789, the day after the Senate achieved its first quorum, he was named chairman of the first two committees. One was established to prepare a set or rules of procedure, and the other was to provide for the appointment of chaplains. Ellsworth's reputation for brilliance and hard work elevated him to the chairmanship of many other committees during his 7 years in the Senate. His most notable contribution was as chairman of the committee that drafted the Judiciary Act of 1789: which provided for the organization of the Federal judiciary.

Aaron Burr, who served with Ellsworth in the Senate, once said—in reference more to the Connecticut Senator's influence and tenacity than to Senate efficiency—"if Ellsworth had happened to spell the name of the deity with two d's, it would have taken the Senate 3 weeks two expunge the superfluous letter." Oliver Ellsworth died at the age of 62 in 1807.

GEPHARDT AMENDMENT

Mr. DOLE. Mr. President, when the House takes up the so-called Gephardt amendment today, it should vote it down.

There are some who say Gephardt is the Gramm-Rudman of trade. If that is the case, I think we probably took care of Gramm-Rudman yesterday on the Senate floor.

But it is not. It is the Smoot-Hawley of trade.

It is the wrong solution to the wrong problem at the wrong time.

The trade barriers erected by foreign countries against our products are part of our trade problem, and we have got to tear them down.

The Senate Finance Committee is working hard right now—in fact, I assume, as I speak—to do just that. It is drafting legislation which will force retaliation against unjustified foreign trade practices. I support the thrust of that effort.

But other countries' trade surpluses have to do with more than trade barriers. They also have to do with broad economic causes—exchange rates, economic growth rates, global debt, and, most of all, the U.S. budget deficit.

The House Ways and Means Committee reported a version of the Gephardt amendment which makes a lot of sense: It identifies countries with "excessive and unwarranted" surpluses, and requires the President to negotiate with them.

But it allows the President to avoid retaliation if he finds it would cause "substantial harm" to the national economic interest.

When we elect a President, we're placing our confidence in his good judgment.

What sense does it make to tie his hands when important national security, foreign policy, and economic issues confront him?

And what sense does it make to tell him to retaliate against surpluses with weapons that are, in large part, irrelevant?

When a batter steps to the plate in a baseball game, you give him a bat, not a pistol. He is supposed to swing at the ball, not shoot the pitcher.

The Gephardt amendment is a well-meaning but completely mixed-up idea which will not advance our trading interests, but set them back very seriously.

The Gephardt amendment is a disaster waiting to happen, but the House has the chance to avoid that disaster today.

ORDER OF BUSINESS

Mr. DOLE. Mr. President, if I have any time remaining, I yield that time to my colleague from Oregon, Senator HATFIELD, assuming the majority leader has used his time.

Mr. BYRD. Mr. President, do I have any time remaining?

The ACTING PRESIDENT pro tempore. The majority leader has 5 minutes and 12 seconds remaining.

Mr. BYRD. If the distinguished Republican leader would like some of my time, I would be glad to yield to him so that he can accommodate other Senators on his side.

Mr. DOLE. How much time do I have remaining?

The ACTING PRESIDENT pro tempore. Five minutes and twenty-six seconds.

Mr. DOLE. I yield all of that time to the distinguished Senator from Oregon, Senator HATFIELD.

Mr. BYRD. Mr. President, I ask unanimous consent that the time of the Republican leader and my time not start running until Mr. HATFIELD can appear to utilize the time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oregon.

Mr. HATFIELD. Mr. President, I thank the leadership for allocating me a certain amount of time.

BENJAMIN ERNEST LINDER

Mr. HATFIELD. Mr. President, I have the sad news that one of my constituents, Benjamin Ernest Linder, age 27, was killed this morning in Nicaragua. His father and mother are distinguished citizens of our State. His father is a professor at the University of Oregon Health Sciences Center. His son, Benjamin Ernest, has been in Nicaragua for the past 2 years working as a volunteer building a hydroelectric plant.

According to witnesses, he was unarmed, in civilian activity, and it is assumed that he was assassinated by the Contras as part of the ongoing tragedy of that country.

Mr. BYRD addressed the Chair.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. BYRD. Mr. President, I ask unanimous consent that I may proceed to speak out of order for not to exceed 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SAFETY FIRST?

Mr. BYRD. Mr. President, the Federal Aviation Administration reported that on April 10, 1987, four near-midair collisions occurred within a 10-hour period. Each of these incidents involved commercial airliners passing within less than 500 feet of other aircraft. Nine days later, on Easter Sunday, the FAA reported that three near-midair collisions occurred—this time within a 2-hour period. Total near-midair collision reports to the FAA already exceed 235 for this year. Last year according to the FAA, there were 839 reports of near-collisions, an average greater than two near-misses every day.

Despite this mounting evidence that the margin of aviation safety is being dangerously compromised, safety is clearly not a priority for this administration. What seems to be most important to the administration is to ensure that the concept of airline deregulation

is preserved and protected. Deregulation has yielded some benefits. More people can fly at lower costs than ever before. However, deregulation has incurred some offsetting costs as well. Prices have increased for some consumers, particularly those who use smaller airports. People who fly to West Virginia from Washington, for example, and people who fly from Washington to other rural States nearby, pay the price for the bargain tickets that can be bought for the long-haul vacation trips into the Caribbean, and elsewhere. So prices have increased for consumers who use the smaller airports.

Deregulation has also caused increased traffic in our Nation's skies and our Nation's Airports.

The most visible result of the increased air traffic has been an increase in airport waiting time. The administration is concerned with the delay problem, and rightly so. We have all experienced the frustrations of flight cancellations and delays. However, the administration has been preoccupied with the delay problem to such an extent that it has taken actions that will only add to the pressures on an already over-burdened air traffic control system.

More air traffic increases the chances of air accidents. It is possible to reduce accidents while increasing traffic, but only if safety precautions are increased at the same time.

Yet, in the face of a 20-percent increase in air traffic over the past 5 years, we have fewer air traffic controllers today than we did before the PATCO strike: 14,822 today versus 16,244 in 1981. The number of controllers actually declined by 114 members between January and February of this year, despite FAA's repeated promises to increase the size of the force. Also, 36 percent of those controllers that FAA counts are actually only trainees, or tower employees, not full performance level controllers.

IN 1981, FAA said it could compensate for any gaps in the air traffic control work force through the use of advanced computer, radar, and communications equipment. Yet, the equipment that is so desperately needed by our overworked controllers will not be available until the late 1990's. In the meantime, the FAA, in violation of its own standards, has drastically increased its dependence on controller overtime.

Finally, in the name of resolving the delay problem, FAA is planning to squeeze more planes into the air. FAA plans to reduce the horizontal spacing between aircraft in flight, the distance between aircraft taking off and landing, and the vertical spacing between airplanes in holding patterns. This would amount to tailgating in the sky.

Such safety standard relaxations would be problematic even if we had a fully adequate air traffic control system. Given the current state of the system, these proposed changes are a prescription for disaster. We have been lucky—very lucky—so far. Do we have to wait for a string of real disasters before we take the necessary action?

There are a number of things we need to do now.

First of all, Congress should prohibit FAA from fixing the delay problem by reducing the spacing between aircraft.

Second, FAA must make a much more concerted effort to increase the controller work force—I talk about controllers at the full performance level—and achieve its existing goal of having 75 percent of the controller force at the full performance level. This is a goal the FAA has set for itself every year since 1983, yet has consistently failed to attain the goal.

Third, something must be done about general aviation aircraft, which have been involved in 85 percent of the near misses so far this year. One solution is to expand the use of transponders that warn controllers of the location and altitude of small planes.

There is no question but that there is opposition in the general aviation aircraft community to this proposal. It costs money. But whether it is a small plane or a large plane that collides with a large airliner, the effect is all the same. The law of gravity works the same in both instances. They both fall to the ground and equally fast.

We cannot allow lives to be lost simply because there will be that additional pricetag, that additional cost, that additional requirement for equipping general aviation aircraft with transponders so that the controllers can see the planes there, know where they are, know what their altitude is and know what their location is.

Fourth, we need to match the volume of air traffic at any given time with the capability of our system to safely handle that traffic. One way to do this would be to restrict traffic at those air traffic control centers that have not met FAA staffing standards. We must find ways to redistribute air traffic in order to avoid dangerous rush hour periods at major airports.

Finally, the President ought to stop dragging his feet and appoint the Aviation Safety Commission mandated by Congress 6 months ago. It does not matter that the President has appointed six out of the seven Commission members; the Commission cannot begin its work until the seventh member is chosen. Six months have gone by and still no Commission, still no seven members.

The President, the Congress, and the public at large must work together to reap the benefits of deregulation without compromising safety. If FAA

cannot handle our deregulated skies safely, I would support reregulation of the airline industry. Safety must come first.

Mr. President, I yield the floor.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for morning business, not to extend beyond the hour of 10:30, with Senators permitted to speak therein for not more than 3 minutes each. Are there those who wish to speak in morning hour?

CONGRESSIONAL BUDGET RESOLUTION—1988

The ACTING PRESIDENT pro tempore. Under the previous order, the hour of 10:30 having arrived, the Senate will now resume consideration of the pending business, Senate Concurrent Resolution 49, which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 49) setting forth the congressional budget for the United States Government fiscal year 1988, 1989, 1990, and 1991.

The Senate resumed consideration of the concurrent resolution.

Pending:

(1) Byrd motion to recommit the resolution to the Committee on the Budget, with instructions to report back forthwith, with language in the nature of a substitute.

(2) Chiles Amendment No. 174 (to the motion to recommit), with language in the nature of a substitute.

(3) Chiles Amendment No. 175 (to Amendment No. 174), of a perfecting nature.

Mr. BYRD. Mr. President, Mr. CHILES has control of the time.

I ask unanimous consent that Mr. CHILES may yield time to Mr. RIEGLE to speak out of order on another subject.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Michigan is recognized.

Mr. RIEGLE. I thank the Chair.

THE TRADE CRISIS THAT CONFRONTS OUR COUNTRY

Mr. RIEGLE. Mr. President, I take the floor at this time to speak about a most urgent problem that faces us, the trade crisis that confronts our country. Today the House of Representatives will be acting on the House floor on a trade measure. We have Mr. Nakasone from Japan visiting in this country today and we face a situation that is very damaging to this country, as things now stand, and I think poses even greater dangers for the future.

I want to briefly summarize the situation that exists today so that every-

one is clear on the dimensions of this trade disaster which is taking place.

I have here a chart that shows in graphic form our trade deficit over the last few years. You will notice the upper line which represents a balance of trade, when we were selling as much abroad as we are buying abroad. Back in the early 1970's we were pretty much running a balance of trade.

In the late 1970's we began to get into trouble as a nation and moved into the deficit area which is marked in red, but you will see that from 1982 on we began to move in a very serious way into a massive trade deficit situation.

This is an exponential change in circumstances, unprecedented in our country's history. Last year our trade deficit totaled \$170 billion for the year, really an extraordinary figure. The trend line shows so far this year that it is continuing and, in fact, in many ways, it is getting worse.

If you think of this trade deficit as an income statement for our Nation and our trading accounts, the next chart that I want to share with you is one that shows what I will describe as our international balance sheet. Our international financial position has been eroded so substantially by these trade deficits that we have now moved into the status of a debtor Nation.

This chart, again with the line across the center being a zero or balance line, shows that from 1984, going all the way back in history to 1914, the United States was a creditor nation. That is the area shown in blue. That means that our financial strength was so great with respect to the rest of the world that we had very strong international financial balance.

About 2½ years ago, however, we exhausted that financial reserve and we went into the hole. We became a debtor nation for the first time since 1914. As the red area on the chart shows, over the last 2½ years we have plunged into international debt to such a degree that we have now passed every other nation on the debtor nation list. You hear about Mexico, you hear about Poland, you hear about Brazil. The United States is the No. 1 debtor nation in the world today. We have passed all the rest of those nations and we are plunging down deeper every single hour of every day into that debtor's hole. We are adding new international debt today at the rate of \$1 billion every 2½ days. One billion dollars every 2½ days is being added to our international debtor status.

This chart is constructed exactly to scale. I would urge everyone to think about the physics that would drive a line that would start up at the peak and come down with this kind of extraordinary rate of decline.

The majority leader was just talking about traffic controllers and accidents in the sky. I recall the accident of the Air Mexico plane in California not very long ago, a mid-air collision. An amateur photographer took a photograph as the plane was plunging to the earth and it was coming down virtually on this angle.

This is the condition that faces our country as a whole. This is not one company; not one industry. This is the United States of America from coast to coast that is involved in terms of this kind of devastating financial picture.

Now, where do the Japanese fit into this? This chart depicts the worsening of our trade circumstances with Japan in the last 10 years. The fact that this whole area is marked in red indicates that we have had a deficit with Japan every year in our trading accounts since 1976. But what is more profound is how much worse it has gotten over this period of time. We have moved to a point where last year, our trade deficit with Japan was \$60 billion. That meant that we exported from this country \$60 billion of scarce capital and financial resources. Those were sent to Japan. The money was ours; it is not theirs. In many instances, they are lending back to us what used to be our money, and at very high interest rates, I must say.

This condition cannot be allowed to go on. Last year, the U.S. dollar dropped 40 percent against the Japanese yen. Despite that fact, our trade balance with Japan actually got far worse than it had been the year before, in a sense almost defying the laws of economics.

The reason this is happening is that the Japanese are not playing fair in the trading system. They are engaging in a form of economic warfare against the United States—very sophisticated, carried out very skillfully, but it is doing tremendous damage to this country and terrible damage to our financial prospects and economic prospects for the future. They are accomplishing this through two techniques. One is the Japanese very skillfully block American products out of the Japanese market. In case after case, they will not allow what are, in many cases, superior United States products to be marketed and sold in Japan, so they keep our goods out.

On the other hand, they want to unload virtually all of their surplus production in the United States. We are now seeing this in virtually every product area.

Recently, the President, very belatedly and in a very small way, responded in the area of semiconductor computer chips. That affects one-third of 1 percent of the trade between ourselves and Japan, just to put it in scale. But this was a clear-cut case where Japan was dumping this par-

ticular product in here below cost in order to destroy the American industry to pick up the business for themselves and, in fact, inflate these huge trade surpluses and weaken this country.

That has been the pattern that we have seen in area after area. We are seeing it right now in the area of light trucks. We have sent the data to the administration to demonstrate that, in fact, that particular product area is where also, we are seeing selling going on in this country below any reasonable measure of what the true economic cost is. So there is a very sophisticated economic war being carried out against the United States by Japan.

They are winning that war. They are gaining financial strength every single day, and the United States is steadily losing financial strength as these charts that I have just shown illustrate so clearly.

Now, what is happening today? The Japanese are now in the process of targeting the financial services industry in this country. In a nation like ours, a major free market economy, the financial services industry—the way by which capital moves through our system and out into the private entities to create jobs and innovation and spending on research and development—anybody who controls that financial lifeline in effect controls in large part the future economic prospect in this country. The Japanese have a plan to come in and take over financial services in this country just as they had a plan to move in so aggressively in cars and trucks, heavy industrial machinery, computers, and down the line.

I think it is very critical that the nature of these steps being taken and these interrelationships be understood because they pose great danger to this country. I think President Reagan has the obligation to confront Prime Minister Nakasone in the bluntest terms and state that there is no reason for this to continue. For Japan to continue to run a \$60 billion surplus against this country is a hostile act and they well know that. The people around the President and the President himself have to face these hard facts. We cannot continue to burden this country and every citizen in this country with debts in the future that we will never be able to pay off. It is not sound, it is not necessary, it is not fair. And it is terribly damaging.

So the President, I hope, will confront Mr. Nakasone in the strongest possible terms and say in those discussions that we have to have an immediate trade deficit reduction program. It has to be agreed on. No more double-talk, no more slipping and sliding. We have to start to see these massive trade deficits coming down and we have to see the United States begin-

ning to restore its international financial strength.

The future of every person in this country is on the line in this trade issue. Every citizen, every family, every community, every State, our Nation as a whole, our future depends upon reversing these trend lines. We have to act now to do exactly that.

I thank my colleagues. I thank the Chair.

FAIR TRADE: A TWO-WAY STREET

Mr. LEVIN. Mr. President, the timing of Japanese Prime Minister Nakasone's visit to the United States could not be better. He arrives here as the House of Representatives begins its consideration of H.R. 3, the omnibus trade bill.

I would hope that the Prime Minister could take some time and observe the debate in the House. I think that if he did, he would understand that neither the House nor the Senate is seeking to implement a policy of protectionism. Our goal is not to deny anyone access to U.S. markets. Our goal is to achieve reciprocity from our trading partners, a fair trade policy that is a two-way street, not the unbalanced and one-way trade situation that has helped produce this country's record \$166 billion annual trade deficit.

This only makes sense. After all, if the other guy closes his doors to your products, you must pry those doors open or else treat him the same way he treats you. How in the name of our future, or fairness, can we tolerate a situation where another government says, "You cannot sell more than x tons of this or y tons of that or none at all of a third product to us"—while that same country has free access to our markets? I say that we cannot.

But I also say, and I would address this to Prime Minister Nakasone, that the United States-Japanese trade picture exemplifies the situation I just outlined. Just a quick look at two products, automobiles and rice, demonstrates a large part of the trade problem that the U.S. Congress is determined to confront.

During the 12-month period that ended on March 1, 1987, 7.9 million new U.S.-manufactured automobiles were sold in the United States. During that same period, 2.6 million Japanese cars were brought into this country. It is estimated that during the next 12 months some 34 percent of automobiles sold in this country will be foreign built and predominantly Japanese.

This information is far from startling these days. It is almost forgotten that as recently as 1965 the import share of automobiles sold here was not 34 but 6 percent. In the two decades since, we have seen the automobile industry devastated by the double-barrelled onslaught of foreign imports

and of rising oil prices. That devastation could be most poignantly seen in the loss of some 300,000 jobs in the auto and related industries. My home State of Michigan and my home city of Detroit endured sharp recessions as the auto industry declined. Unemployment in Michigan reached double-digit levels for 5 years, from 1979 to 1984. While the situation has improved somewhat since, a recent round of announcements of plant closings are producing more "hard times" in a State that was the "arsenal of democracy" during World War II and easily the automobile capital of the world.

During these two decades—as foreign cars took an ever-growing share of the American market—this country remained a bastion of what is called "free trade." We didn't "protect" the U.S. auto industry or the U.S. auto worker. It wasn't until 1981 that the United States Government negotiated so-called voluntary restraint agreements [VRA's] with Japan. Under the current VRA, Japan sold 2.6 million cars here last year—which is about what it would have been able to sell here without VRA's. No other auto-producing country allows more than 10 percent of its market to be taken over by Japanese automobiles. The United States stands alone with a 30-percent-plus market share going to Japanese manufacturers. In short, despite the precarious condition of the United States auto industry, the United States has remained basically open to Japanese imports. The United States-Japanese auto trade could hardly be any freer than it is. Whether it is fair—fair to U.S. workers—is another question.

There is a dramatic contrast between the way we don't "protect" our automobile industry and the way Japan protects its rice industry. Just last week, Secretary of Agriculture Richard Lyng was in Tokyo urging the Japanese Government to loosen its ban on rice imports. The answer he received was unambiguous. Despite the Secretary's warning that the United States Congress would respond with very harsh mandatory retaliatory laws if Japan did not allow more agricultural imports, his Japanese counterpart, Mutsuki Kato, said that Japan would never import foreign rice. Moreover, he said there will be no bilateral talks on the subject, labeling even the suggestion of such talks as "strange."

Kato's adamant response was the same one Japanese officials have been issuing for years. In 1985, I asked Japan's Ambassador to the United States why Japan insisted on purchasing rice from domestic producers at the then-current price of \$1,227 per ton rather than purchasing United States-grown rice at \$390 per ton. Ambassador Nobuo Matsunaga told me:

There is a strong consensus among Japanese nationals that Japan, for security rea-

sons, should produce enough rice to satisfy its own internal demand. There is also a recognition among Japanese nationals that the attainment of this goal will inevitably involve certain costs.

Those "certain costs" are heavy indeed. Japan forbids the import of foreign rice under its Staple Food Control Act. Instead, the Government purchases all the rice produced by Japanese farmers at eight times the going international price. The rice is then resold to the Japanese consumer at a somewhat lesser price with the Government absorbing the loss.

This system of subsidies costs us any part of the Japanese rice market and costs Japanese citizens billions of dollars. First, there is the cost of the rice itself: \$36.25 for 10 kilos, 22 pounds, in Japan compared to \$6 for the same amount here. Then there is the cost to the taxpayer of the subsidies paid to the rice farmers: \$6 billion a year. That \$6 billion is a large part of the reason why Japan runs large budget deficits while spending hardly anything on defense. Another cost of the rice subsidy program can be seen in the ripple effect that overpriced rice has on other food products: As much as \$30 billion of consumer purchasing power is absorbed by the rice subsidies. Last, but not least for Japanese families, is the almost incredible inflationary effect that the rice subsidies have on housing costs. In a country that is desperately short of land suitable for development, farmers hold on to their paddies rather than selling them for housing tracts. Accordingly, the price of housing in Japan is disproportionately high.

Japan could avoid all these costs by importing rice from the United States. As James Fallows points out in the January 1987 Atlantic:

If every Japanese paddy were drained tomorrow * * * Japan would have to spend only about \$3 billion to import rice. That would offset 3 weeks' surplus in Japan's balance of trade with the United States.

That won't happen anytime soon. It won't happen because—despite all the evidence demonstrating the rice subsidies' detrimental effect on the Japanese economy—the Japanese Government insists that Japanese rice and the Japanese rice farmer must be protected. Rice farmers, we are told, hold a special place in the Japanese economy. Rice, we are told, holds an almost sacred place in Japanese life.

It is my belief that the American automobile industry holds a special place in American life. Each of the 300,000 jobs which have disappeared in the U.S. auto industry represent tragedies that should not have been allowed to happen. All we can do now is to work to get those jobs back. That is what we are trying to do with the various trade proposals we are considering.

Frankly, I think that the Japanese should understand our intentions. We are not seeking to ban every last Japanese car as they have successfully banned every last American grain of rice. We are not seeking to build a wall of protection behind which we can shield our domestic industries as they have shielded theirs. We are only seeking equity: for our auto parts, beef, telecommunications equipment, construction, citrus fruits, tobacco, et cetera, et cetera, et cetera. Open access to their markets as they have access to ours. Until we have it, we'll seek a solution to our trade problem through legislation and executive branch action. That does not mean "trade war" and it does not mean "protectionism." It does mean fair trade, an even break for American auto workers, farmers, steel workers, and all the other American workers who have been the victims of a so-called free trade policy that was "free" for our trading partners but cost us millions of jobs. That policy failed. It is time to try something else.

TONGASS TIMBER REFORM

Mr. RIEGLE. Mr. President, I am pleased to be a cosponsor of S. 708, the Tongass Timber Reform Act of 1987. By repealing sections 705(a) and 705(d) of the Alaska National Interest Lands Conservation Act of 1980 [ANILCA], this bill takes an important step toward correcting a policy which has proven to be environmentally and economically disastrous.

The Tongass National Forest is the largest in America's National Forest System. As the last section of an ancient forest which once extended from California to the Alaskan coast, the Tongass is the only predominantly intact rain forest left in the Earth's temperate climate zones. It is home to a rich diversity of plants and wildlife, and supports commercial fishing and tourism industries in Alaska.

Tragically, large tracts of the Tongass are destroyed each year as part of the money-losing U.S. Forest Service timber sales program. While the Federal Government has encouraged the development of the timber industry in southeast Alaska since the turn of the century, it was in 1980 that Congress established a massive program of Federal subsidies and target timber sales. Section 705 of ANILCA set a goal of selling 4.5 billion board feet from the Tongass per decade, and allocates a minimum of \$40 million every year in support costs, or "as much as the Secretary of Agriculture finds is necessary" to meet the established goal.

Due to changing market conditions, as well as other factors, this program has been a failure. The Government is losing 98 cents on every dollar spent, totaling losses of over \$50 million per

year. During the past decade, the Tongass program lost over \$360 million, and the Forest Service predicts that it will lose another \$2 to \$6 billion over the next 50 years. While the law intended to sustain the local timber industry through its subsidies, this has not occurred. Since 1980, timber jobs in the area have declined by 40 percent, while demand for timber has only been roughly half of what the program anticipated.

Mr. President, the Tongass Timber Reform Act will remove the timber sales goal and minimum funding level mandated by ANILCA. By doing so, it brings the timber program back under the scrutiny of the congressional budget process, and opens the way for reform of the program's management and goals. The intent is that these changes will prompt the scaling back of the timber program to reflect current economic conditions, and will minimize the future destruction of one of our Nation's most precious natural resources.

In these times of record deficits, we cannot afford to pour such large amounts of money into such a wasteful and environmentally unsound program. I therefore encourage my colleagues to cosponsor and support this important legislation, and to act expeditiously in passing it.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BYRD. Mr. President, I feel that perhaps a quorum call at this point might be the advisable approach, in view of the fact that our Senators who are involved in the debate are, at the moment, discussing matters of the floor.

I suggest the absence of a quorum. I ask unanimous consent that the time be charged against both sides equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. FOWLER). Without objection, it is so ordered.

CONGRESSIONAL BUDGET RESOLUTION—1988

The Senate resumed consideration of the concurrent resolution.

Mr. DOMENICI. Mr. President, I yield 10 minutes to Senator GRASSLEY off the resolution.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, first of all, I thank the ranking member, the manager of the bill for our side, for his granting me this time as well as his outstanding leadership in the area of sound budget policy.

I rise, Mr. President, to comment in a very general way not just about this budget resolution but about the situation of whether or not Congress is very good at estimating what budget deficits are going to be.

I think if there is one thing very certain other than death and taxes, it is this fact. And it is a fact that the fiscal year 1988 deficit, the very budget we are talking about right now, debating right now on the floor of this body, is going to be much higher than the \$134 billion and it is especially going to be much higher than \$108 billion that is the Gramm-Rudman target.

I say that even if we adopt this budget resolution that is currently before this body.

The reason the deficit will be much higher is that the Congressional Budget Office has failed to give us reliable estimates on the impact of our budget decisions each year.

Private forecasters are already predicting just halfway through any fiscal year, and we are halfway through 1987, that the 1987 deficit will be closer to \$200 billion instead of the \$170 billion that the Congressional Budget Office predicts.

And as the end of the fiscal year approaches, I am sure that those predictions may get higher or at least they are going to be solidified.

If this is the case, it would represent another misestimate of \$50 billion, just a simple misestimate of \$50 billion from what our projections were just 1 year ago right now as we were then debating this fiscal year's budget resolution. That is \$50 billion higher.

Please allow me, Mr. President, to throw out some examples of where private forecasters are predicting much higher deficits for fiscal year 1987 than we are assuming in this budget resolution.

Townsend-Greenspan, as an example, says that the fiscal year 1987 deficit estimates are going to be \$186 billion. All of these estimates are compared to the \$170 billion that we thought a year ago we were going to have. Let me repeat again, Townsend-Greenspan, \$186.2 billion; Data Resources, \$188.2 billion; E.F. Hutton, \$185 billion; the University of Michigan, \$196 billion; and Prudential-Bache, \$200 billion.

You will remember last year, Mr. President, that the fiscal year 1987 deficit started out at \$144 billion. Then it became \$154 billion by last fall. Then just this February, 2 months ago, it became \$171 billion and now we are talking about \$200 billion all over again.

What I am afraid of is with this new budget resolution, the one we are debating now for fiscal year 1988, is that it will grow from the \$134 billion now to \$154 billion by fall and then probably to \$171 billion by next February

in 1988 and finally \$200 billion by this time when we will be debating next year another budget resolution for that ensuing year of 1989.

If one were tempted to say that that is not possible, I should remind you, Mr. President, and this body, that I made such a prediction last September 19 right here on the floor of this Chamber.

I made that prediction, of course, by the seat of my pants and I made that at a time when everyone said that it would not happen, and lo and behold, it did. It very much happened. I even laid out specifically how the deficit would climb from \$154 to \$200 billion.

Now, it is not all that hard to do, if we would just simply, instead of using CBO numbers, do it by the seat of your pants.

It is just like forecasting the weather, Mr. President, where laymen can predict even better results than weather forecasters because we all tend to mix a little bit of barnyard intuition in with our forecasts.

Since we have abandoned the fine art of estimating future deficits, we have instead developed a new art called creeping accounting.

This "avante garde" art form allows us flexibility in estimating, flexibility that works into the thought process of politicians.

We do not have to count something as increasing the deficit until it actually happens.

Each time the bill comes in, we simply raise our deficit estimates and projections up a notch or more.

It is a lot like buying a new car, Mr. President. The salesman shows you a car for let us say \$10,000 and you look at that car and you really want that car and you are going to see that you get that car, but you really are not satisfied with that car just the way it is there. You want an AM/FM radio, you want air-conditioning, power brakes, power steering, power windows, a sunroof, cruise control, and all sorts of other assorted extras and then, of course, there is always the excise taxes and sales taxes that go along and pretty soon that \$10,000 car cost may be close to \$20,000 or twice as much as we first thought.

Now, the problem is simply this. We are telling the public that the price is only \$10,000 when in point of fact we know, or at least we should know, that it is really going to cost \$20,000.

Now, during markup of this resolution, and this was in the Budget Committee, Mr. President, there was a lot of talk through January and February, and we had a lot of hearings about the term "truth in budgeting."

I suppose many of us at that time were concerned that the truth had been granted a bit of license of late and that we have allowed it to be a bit fluid as the truth sometimes can be.

We seem to develop these sophisticated systems. They seem to somehow hide the truth, or if they do not actually hide the truth, they at least blur it.

I would like to read for you, Mr. President and this body, a quote that I think is appropriate about our devising and using systems and relying too much on those systems. This quote is from Ivan Turgenev and it was written to Leo Tolstoy in 1856, and this is what it says about systems.

Would to God your horizon may broaden everyday! The people who bind themselves to systems are those who are unable to encompass the whole truth and try to catch it by the tail; a system is like the tail of truth, but truth is like a lizard; it leaves its tail in your fingers and runs away knowing full well that it will grow a new one in a twinkling.

That is what Ivan Turgenev said in 1856.

Perhaps such a quote can provide us with a rationale for the kind of seat-of-the-pants intuition that is necessary for discovering the truth.

I don't have a very comfortable feeling that this budget resolution does enough to keep us from chasing those very same lizards' tails that Turgenev speaks about.

While we have been chasing elusive deficit numbers on papers, the true deficit runs its very merry course and it just seems to be beyond control, getting larger and larger and probably in that very same twinkling Turgenev referred to.

I mention this, Mr. President, and I mention this in the context of a \$300 billion plus debt extension requirement that is going to be needed very shortly to get us through September 1988.

That increase in that deficit would bring the total debt figure for our entire country past the \$2.5 trillion mark.

In summation, Mr. President, I would like to quote from the weekly publication which is put out by Representative JERRY LEWIS and that is put out through the House Republican Research Committee and this is a quote from Mr. Frank Gregorsky on the probable effects of future budgets of using smoke, mirrors, and as I referred to creeping accounting and that would be used to misestimate these deficits. I quote from that report.

If intellectually-honest people do not unite against the deception and self-deception that dominate government forecasting and budgeting, the deficit's powerful friends will maintain their commanding heights.

The nation will face further public confusion fiscal default and bureaucratic manipulation, all of which can't help but produce serious economic consequences.

Mr. President, I think that quote speaks for itself. I think it ought to awaken us to the fact, as we consider this budget resolution which will be going on over the next several hours

and there will be several votes, that we need to think in terms of not losing sight of this overall picture of where that budget deficit is going to be and how bad of a track record we have of estimating that budget resolution. We should not lose sight of that big picture when we are voting on amendments to this budget resolution that is probably going to take more of our time, and time ought to be devoted to these major problems we have.

So I think, Mr. President, that quote speaks for itself.

In closing, I ask unanimous consent to have printed in the RECORD the report of Representative JERRY LEWIS.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE DEFICIT'S POWERFUL FRIENDS

(By Jerry Lewis)

Premise: Federal deficit spending has more reinforcements than even the realists realize. And as long as people misread the strong yet amorphous forces supporting it, the deficit will always prevail. This essay is a nonideological analysis of the least understood of these pro-deficit forces, starting with brief profiles of each:

Mass Public Confusion. The public has no idea what's in the budget, how much "waste" there is, or how many people receive benefits. Elected officials have little reason to be objective about these matters. With the media increasingly weary of explaining the fiscal facts, the public remains susceptible to reassuring nostrums. And that means no popular support for genuine anti-deficit action.

Government Optimism. Every year OMB and CBO predict five years of good growth and declining deficits, and every year setbacks occur that weren't factored in. This discredits the "budget process" even before it starts. Why don't the assumptions ever fit reality? People ostensibly paid for their objectivity seem to forsake it, in ways that help others ignore painful political choices. [See Jonathan Rauch on "CBO's Wishful Thinking" in the March 7 National Journal.]

Entitlements. The word and the concept started in the Democratic Congresses of the 1970s. They threw away control of domestic spending by using fixed spend-out formulas which, when combined with demographics, put outlays on automatic pilot. "Entitlement" checks are actually transfer payments; this is what we used to call them, and it's a better term for a process of shifting funds from John to Jack.

Obsolete Formulas. The aging of the population, the burgeoning national debt and the reinforcement of the Pentagon have changed the shape of federal spending. This has unravelled 1970s formulas which held that economic growth, by cutting the demand for social services, can cause sharp declines in spending. Less than 5 percent of the budget is now linked to the pace of GNP and the level of unemployment. So the hope of serious spending cuts thru economic growth is a false one.

No Partisan Or Institutional Accountability. In every major democracy except perhaps for France, parliamentary systems make the chief-executive's party write and pass the budget. But the U.S. Constitution's checks and balances, combined with a still-growing vote for split-party government,

makes balancing the national budget the task of no one party, branch of government, or governing philosophy.

A Low-Savings Culture. To save today means capital formation tomorrow and better jobs next week. But Americans aren't keen on this. Tens of millions of us pay 10-20% interest on loans. Car notes even have variable rates. Personal savings in the fourth quarter of 1986 hit new lows. The stock market may suggest rising assets, but the "welfare states" of Canada, Australia and England save three times what Americans do, on top of their booming stock indices.

The Japanese save so much they now run six of the planet's seven largest banks, while budget deficits are financed with minimal fuss. Despite the negligible public debt threat, the Nakasone government is spending political capital to enact a pro-investment tax swap: deep cuts in personal and business income tax rates for installation of a 5% national sales tax. Not since Eisenhower's time has the United States displayed anything like this kind of fiscal responsibility.

Unless a nation attracts capital from abroad while keeping nearly all of its own, big deficits, low savings, and tolerable interest rates will be virtually impossible to reconcile. There may be a consensus on this point. But the policy process has gone limp: What will cause Americans to save more? Households saved less under the 5-10% real interest rates of the mid-eighties than they did under the negative real interest rates of 1978-79. Is it in the culture?

These last two friends of the deficit—low savings and no accountability—are well-understood and will get little elaboration here. The others—public confusion, unjustified optimism, the entitlement paralysis, and no-pain formulas—will be analyzed in depth. Some unorthodox treatments will be suggested.

I. THE PROBLEM OF THE UNINFORMED PUBLIC

The American public understands the substance of matters like the Soviet threat, public works, and excellence in the schools. But there is no equivalent appreciation of federal deficits beyond the following propositions: a) Uncle Sam spends more than he takes in; b) No family and no government can expand its debt forever; and c) Something bad will happen if Washington doesn't exert discipline.

Each of the three propositions is correct. The problem lies in what elected officials add to the mix. Each party routinely blames the other for excess spending. But a bipartisan message underlies all the partisan posturing. It basically says that waste, fraud, abuse, welfare cheats, foreign aid, U.N. bureaucrats, defense contractors and mischievous civil servants are the cause of big deficits.

This "bad-guy" theme is backed by the typical elected official and rejected by almost every budget scholar. Since voters hear from the former and not the latter, 70% of the electorate thinks there is "a lot of waste" in the budget [see Public Opinion Feb/Mar. 1985]. If "a lot" means only 20%, then Washington could eliminate "waste" and balance the budget, hurting only the "bad guys." Case closed.

No American leader has tried what New Zealand Prime Minister David Lange has. Lange's majority Laborites ended crop-price supports in one year and cut manufacturing subsidies drastically. They abolished wage-price controls and freed up banking, after

deciding to absorb the inflation pent-up during years of protectionism.

As for the voters, they were never promised a rose garden. On Jan. 13, 1986, the Prime Minister said in a speech: "Now the signs of the economic slowdown are clear, and they will worsen in 1986 before they improve. I emphasize that this slowdown is expected, necessary and temporary. If we are to achieve stronger and sustainable economic growth, then a period of retrenchment and regrouping is unavoidable."

Lange gives his Cabinet leeway to say even blunter things. The Overseas Trade Minister has waged a vigorous battle against subsidies and protectionism ("the New Zealand psyche needs rewiring . . . We cannot go on giving handouts to people to produce what the world does not want"). The Finance Minister has even quarreled with business organizations because their GNP projections were too upbeat.

We'll see how Lange and the Labor Party fares in this year's elections. What's beyond dispute is that elected leaders in this country rarely base a fiscal policy on the worst case, or center a political strategy around economic candor and public enlightenment.

Much more typical is the White House's FY 1988 budget message, which maintained that "eliminating the deficit over time is possible without raising taxes, without sacrificing our defense preparedness, and without cutting into legitimate programs for the poor and the elderly, while at the same time providing needed additional resources for other high-priority programs" [emphasis in original].

This sounds too good to be true. If that scenario were within the realm, why does nothing like it ever happen? For two reasons:

(1) It's based on six assumed years of steady growth, averaging 3.5% a year during 1987-92. This is something we haven't had since the sixties and, before that, since World War II.

(2) It's based on program-cost projections that don't appreciate bureaucratic opportunism, and on spending-cut assumptions that deny congressional politics.

Where's the incentive to sacrifice when a 300-pound person is told he can become a sleek Yuppie without medicine, dieting, or a health club? Happy talk and blithe assumptions have made us dangerously sanguine. For example, on the day after the first (and only) Gramm-Rudman sequester, Tom Redburn wrote in the Los Angeles Times:

"Only 22% of the public favor such across-the-board spending cuts as the best way to reduce the deficit, with 64% advocating that Congress make specific reductions on a case-by-case basis. But, when asked where they could cut spending, a majority of Americans oppose cuts in nearly all government programs."

No one will bleed for spending control when elected officials hint that it can be achieved by going after items that hardly anyone benefits from. But, when some groups enables local opinion-leaders to confront the true choices, the citizens may vote to get serious.

The Roosevelt Center arranged a Debt-Busters project in 50 state capitals late last summer. According to the Sept. 12 Chicago Tribune, "The most popular cut of all, with only eight states dissenting, was to trim cost-of-living adjustments for retired federal employees. Nearly as popular was a plan to restrict COLAs for younger military retirees." The states split 29-21 for limiting Social Security COLAs and taxing benefits

for those with large private estates. Majorities also favored "eliminating or reducing farm-price supports," and the Nebraska Debt-Busters voted \$80.3 billion in new "sin" taxes.

Treatments. It may seem a small step, but Members could start using newsletters to educate rather than sustain easy-out notions.

For example, in 1982 Rep. Charles Stenholm (D-TX) distributed a newsletter which undid every myth about Social Security. In 1984, Rep. Connie Mack (R-FL) surveyed town meetings of senior citizens on whether they'd forego one year's COLA if they could be sure everyone else getting a federal check would do the same (a majority said yes). Rep. Newt Gingrich (R-GA) has suggested pie charts explaining where the money goes, followed by a "balanced-budget checklist."

Efforts like these, manageable by single offices, educate the public and remove false hopes (without committing to drastic budget cuts). Debt-Busters projects achieve the same result and could be done with the help of the local Jaycees or Chambers of Commerce.

II. ECONOMIC GROWTH AND THE BUDGET PROCESS

During the 1984 presidential campaign GNP growth was coming in a good deal ahead of projections. Some Republicans dared to hope a way had been found to repeat 1962-66, when annual GNP growth averaged 5.3%, stocks boomed, savings soared, and the Kennedy-Johnson income tax cuts were arguably paying for themselves thru stronger growth.

David Stockman, then still OMB Director, wanted the White House to engage the opposition in a "bidding war" for deficit-reduction. But a more traditional brand of incumbency politics prevailed.

When challenged on the upbeat nature of their GNP scenario, the optimists turned this challenge into an argument over economic growth as an alternative to drastic spending cuts. They stressed that if unemployment were at its 1964-74 level of 4.5%, there would be \$60-100 billion more in revenues. Some also asserted that a booming GNP would bring down federal spending automatically.

But the U.S. has, since late 1984, followed what might be termed the supply-side prescription for a boom: easy money, falling interest rates, a cheaper dollar, no tax hike, no oil import fee, no cuts in politically-touchy transfer payments, and no wholesale protectionism.

The result was not a boom, but moderate GNP growth of 2.5%, with the FY 1985 deficit moving way above that for FY 1984. Why? Revenues that never arrived, farm-program costs, and assorted shenanigans by congressional spenders. In addition, the trade deficit represented a slice of consumer demand not translated into domestic production.

We might have learned something during 1984-85 about new economic patterns: There was no boom despite across-the-board stimulative policies, and we wound up with most of the deficit setbacks the forecasters assumed would not occur. But very little changed. And when oil prices dived, optimism came quickly back into fashion.

On March 24, 1986, Time reported: "Business was busting out all over. Nearly everyone . . . was celebrating the belief that the 40-month-old economic recovery . . . is accelerating to a faster pace of 3% or more. Even better, many experts think the industrial world's economies are

entering a new era, in which low oil prices are triggering a whole series of positive trends, thus creating a boom machine that could hum smoothly for several years."

Yet growth slowed down further in 1986; it missed the Administration assumption by 1.5 percentage points and CBO's by 1.1. And the FY 1986 deficit came in at \$221 billion, \$9 billion above the prior year and \$50 billion over the resolution passed in August 1985.

Why not finally face reality? Why not base the budget process on slow growth? Vigorous growth as an objective is virtuous, but strong growth as a budget-process supposition has proven time and again to be vicious. It's time for a deeper look at the two types of optimism that some critics say corrupts Washington's entire fiscal management.

III. OPTIMISM IN THE ECONOMIC ASSUMPTIONS

Economic assumptions are what "current services" spending is based on, and this in turn is used to produce a "deficit baseline," from which all budget resolutions flow.

Here is what the Office of Management & Budget, working with the Council of economic Advisers, projected for real GNP growth six years out, at the beginning of 1979, 1980, 1981 and 1982. (Averages, even though they ignore the reality of compounding growth rates, remain the best way to derive the typical annual exaggerations.)

[In percent]									
January 1979	1979	1980	1981	1982	1983	1984	1985	1986	Average
Assumed.....	2.2	3.2	4.6	4.6	4.2	3.0	3.6		3.6
Actual.....	2.5	-2	1.9	-2.5	3.6	6.4			1.9
January 1980	1980	1981	1982	1983	1984	1985	1986		Average
Assumed.....	-1.0	2.8	5.0	5.0	4.8	4.6			3.5
Actual.....	-2	1.9	-2.5	3.6	6.4	2.7			2.0
February 1981	1981	1982	1983	1984	1985	1986			Average
Assumed.....	1.4	5.2	4.9	4.2	4.2	4.2			4.0
Actual.....	1.9	-2.5	3.6	6.4	2.7	2.5			2.4
January 1982	1981	1982	1983	1984	1985	1986			Average
Assumed.....	3.0	5.2	4.9	4.6	4.3	4.3			4.4
Actual.....	-2.5	3.5	6.5	2.9	2.2	27.2			2.5

The six-year GNP expectations were consistently 60-80% beyond the eventual reality. And the pattern would hold: In January 1985 OMB/CEA said growth would average 4.0% that year and next; but the two-year average was only 2.6%. Three months ago the Administration forecast 3.2% for this year, but Sunday's Washington Post business section had this subheadline: "Administration Fears Economy May Not Top Last Year's Level" of GNP growth (which was 2.5%). The CBO's assumption of 3% for this year is not looking too safe either.

Indeed, the January CEA/OMB/CBO 1987-88 assumptions go beyond—by one-sixth to one-fourth—what a Congressional Research Service survey of private-sector forecasters turned up the month before [see Editorial Research Reports, Vol. II, No. 23; Dec. 19, 1986].

Only once in the last nine years has the pattern been broken. In January 1983, CEA Chairman Martin Feldstein took the lead in forgoing economic projections roundly denounced for their pessimism. But the numbers that OMB eventually affirmed for the

Administration can now be seen as having set records for long-range accuracy.

U.S. economy in 1986	January 1983 forecast	Actual
GNP in current dollars (trillion)	\$4.23	\$4.21
Personal income (current) (trillion)	3.38	3.49
Pretax corporate profits (billion)	296	244
Unemployment, 4th quarter (percent)	7.8	6.7
Interest rate, 91-day T-bills (percent)	6.8	6.0

Even the much-derided GNP-growth assumptions look impressive when the four years are averaged.

(In percent)	1983	1984	1985	1986	Average
1983 CEA/OMB assumptions	3.1	4.0	4.0	4.0	3.8
Actual gain in real GNP	3.6	6.4	2.7	2.5	3.8

Messrs. Feldstein and Stockman, four years ago, projected a massive structural deficit if nothing was done: It would rise from \$249 billion in FY 1984 to \$315 billion in FY 1988. (The deficit has actually turned out better than that, mainly because of lower interest rates, DEFRA, and the leveling-off of military spending.)

But what counts here is that somehow, in early 1983, the deficit debate was launched from solid terrain. With an 18-month recession seen ending, it was reasonable to project a four-year recovery. And with GNP assumptions kept within bounds, deficit trends were not made to succumb to the blandishments of Rosy Scenario and the Optimists.

Unfortunately, 1983 was an aberration. The latest White House budget, in its portrait of 1987-92, is presumptuous in the extreme:

CPI Inflation is to peak at 3.8% this year, dip back to 3.6% the next, and then decline consistently to 2.0% in 1992.

Fourth-quarter unemployment is assumed to drop from the 6.9% level of 1986 to 5.5% during 1991-92.

The interest rate on 91-day Treasury bills is supposed to go from the 1986 level of 6% all the way down to 3.6% in 1992.

Everything bad goes down. Everything good holds steady or goes up. Growth is expected to continue straight thru 1992, which would make for 10 straight years without a recession. With the exception of 1939-1948, there hasn't been a 10-year expansion in this century.

Treatment: Predicting the arrival or length of a recession isn't something a government entity can do. Neither should CBO or OMB be flayed for missing one year's GNP path by a half-a-point or even a full point. (That would mean holding U.S. officials responsible for anticipating discontinuities like Saudi Arabia's shift to cheap oil.)

But five-year economic assumptions might instead be based on a "rolling average" of the past six to eight years. That would almost always include the last recession, and this by definition would factor the next recession into budget planning. The idea is not to demand perfection, but to use history to get long-range forecasting accuracy, which would root today's decisions more firmly in reality.

IV. OPTIMISM IN THE BUDGET RESOLUTIONS

Nearly every budget resolution begins its life in the quicksand of untenable GNP growth assumptions, and the biggest impact

this has is in high expectations for revenue intake. But things get worse. Other kinds of optimism are also endemic—typically, that:

New programs will cost only what the proponents say
There will be no supplemental appropriations

Interest rates will fall, and keep falling
There will be no bank bailouts or disaster payments

All of these expectations, of course, minimize the outlay threat. Between the GNP growth that does not materialize and the outlay surge that was not projected, the result is eight solid years of deficits coming in above Congress's declarations:

(Dollar amounts in billions)	Fiscal year	1st budget resolution	Final deficit
1980		-\$23.0	-\$59.6
1981		+2	-57.9
1982		-37.6	-110.7
1983		-103.9	-195.4
1984		-171.6	-175.3
1985		-181.2	-212.3
1986		-171.9	-220.7
1987		-142.6	-170-200

Note: This table is from an unusual collection of data in Appendix D of CBO's "Economic & Budget Outlook: FY 1988-92," released in January. The budget organization admits "a fairly consistent tendency to overestimate revenues and underestimate outlays." These errors are magnified in the deficit, which exceeded the estimates by an average of \$48 billion, or by almost half. A fairly consistent tendency.

Before the Easter recess the House passed a resolution for FY 1988. One Republican Member had this to say: "[T]he Budget Committee's budget uses phony numbers, accounting gimmicks, and assumptions on spending cuts that everyone knows will never occur. And, frankly, it never even explains what it does. The Budget Committee's budget looks like it ignores the highway-bill override, ignores the Clean Water Act override, and ignores the \$12 billion supplemental appropriation bill that is coming down the pike. It does not pay for the pay raise, and it renames what are actually receipts and calls them spending cuts." [Cong. Record Apr. 9, 1987; p. H 1979]

Optimism on outlays, just like optimism about GNP growth, reflects political survivalism and human nature more than it does ideology. The really big fiascos of recent years span the spectrum:

On May 10, 1985, with the President in support, the Republican Senate passed a historic budget package that eliminated 12 programs and agencies. Eleven days later the House passed a resolution that preserved all but one of these programs. There was no compromise, and 11 of the 12 are still there today.

In December 1985, economists at the Agricultural Dept. said the new farm bill would cost \$54 billion over five years. One month later, after it has passed, the five-year costs were upped to \$85 billion. Today they are thought to be even higher.

From FY 1981 to FY 1986, defense spending rose 41% after inflation. Even the critics agree that recruitment quality and shipbuilding show strong gains. Yet expenditures on plans, missiles and tanks have risen 5-10 times faster than the quantities ordered. And the Pentagon keeps operating on five-year plans that are hundreds of billions of dollars above likely congressional appropriations. This guarantees, relative to the plan, massive gaps in weaponry-output along with rising unit-costs.

In late 1983, NASA told Congress it could build a multi-purpose space station for \$8 billion by 1992. Last month the deadline was

slipped back to the "mid-nineties," while the cost escalated to \$12 billion. Meanwhile the capabilities of the space station have been drastically scaled back, to the point where Japan and Western Europe may pull out of funding.

One finds a generic pattern: A program's advocates win votes by exaggerating the results and "low-balling" the costs. Once the legislation is passed, once the various clients are mobilized, once the bureaucracy is engaged, once the contractors start marking up—expenditures overshoot the promised levels. Not only that, but the desired goods or services often don't arrive in the promised amounts.

The General Accounting Office (GAO) has a good track record on evaluation a program's likely bang for the buck. It is noteworthy that the GAO was tasked with sequester duty under Gramm-Rudman, and just as noteworthy that congressional Democrats sided with the Justice Department to have the Supreme Court void this authority.

Treatment: Spending and deficit projections should run only three years, not five. Five-year projections let the projectors envision the pot of gold—a balanced budget or a small deficit—at the end of the rainbow. But it hasn't happened since the present budget process was launched 13 years ago. Shortening the "rainbow" will help Washington face the deficit crisis today and tomorrow, rather than dream about a painless payoff the day after tomorrow.

An additional "treatment" is to discount any outlay projection that reflects the self-interest of the projector. This means no group likely to benefit from a program should be able to set the standard for its supposed costs. It also means private-sector analysts need help from individual Members in pushing OMB and CBO toward realism.

For example, an independent panel of economists, assembled under university auspices or perhaps some business entity, could cost out each budget resolution using prudent economic assumptions. Experienced congressional deficit-fighters like Sen. William Proxmire and Rep. John Edward Porter could help call attention to their work.

V. ENTITLEMENTS VS. "AUTOMATIC BUDGET CUTS"

Whether the U.S. could grow its way out of deficits was tested during FY 1984. During those 12 months—October 1983 thru September 1984—unemployment plunged from 8.7% to 7.1%. Real GNP growth was a robust 6.1%. What did this do for the deficit? It was whittled down, from \$195 billion (the FY 1983 tally) to \$175 billion.

But what went down, and why? There were some legislated reductions, affecting Agriculture, DOE, EPA and SBA. But only two programs reflected the surge in the overall economy: Unemployment compensation claimed a whopping 31% less during FY 1984, and food stamps outlays fell 2.3%. The budget savings for both added up to \$16 billion.

Yet, perhaps surprisingly, a broad array of social-welfare costs rose: human-services block grants, family social services, housing, child nutrition, community planning, AFDC, Medicaid and even low-income energy assistance. All but the latter outpaced inflation.

This suggests how small a slice of the budget is open to restraint thru economic growth. All kinds of other variables—the harvest, military contracts, how many

people are retiring, the size of the national debt—have more of an effect. A quick survey of the FY 1986 budget, category by category and prioritized by outlay-share, indicates a near-total obliviousness to the course of the GNP:

Budget categories and their fiscal year 1986 outlays

	Billions
National Defense: personnel, O&M, procurement, R&D, military construction, atomic energy	\$273.4
Social Security	198.8
Net debt interest	136.0
Income Security: Federal pensions, unemployment compensation, housing, disability, AFDC, food and nutrition assistance	119.8
Medicare	70.2
Health: health-care services, research, education and training of health-care work force, consumer/worker health and safety	35.9
Agriculture: price supports, research and extension services	31.4
Education, training, employment and social services: elementary/secondary/vocational, higher education, research and general aids, training and employment, other labor services	30.6
Transportation	28.1
Veterans: income security, education/training/rehabilitation, hospital and medical care, housing, other benefits	26.4
International affairs	14.2
Natural resources and environment: water resources, conservation and land management, recreational, pollution control	13.6
General Science, Space and Technology: general science, basic research, space flight, supporting activities	9.0
Community and Regional development: community development, area and regional development, disaster relief and insurance	7.2
Administration of justice: Federal law enforcement, litigative and judicial activities, prisons, criminal justice assistance	6.6
General-purpose fiscal assistance: revenue sharing and other general-purpose help	6.4
General Government	6.1
Energy: energy supply, conservation, emergency preparedness, getting out information	4.7
Commerce and housing credit: mortgage credit, thrift insurance, postal service	4.4
Undistributed offsetting receipts	-33.0
Net outlays	989.8

Of 19 spending categories, one—Income Security—contains programs controlled by the course of the economy. And that category has stayed within the fairly narrow range of \$108-128 billion during FY 1982-86 (the Administration's upbeat assumptions put it at \$133.5 billion in FY 1990). Most of the subfunctions in it are not tied to GNP or jobless rates; and even if unemployment were to drop to zero percent, the related savings would be less than \$18 billion.

So the conclusion is inescapable: What economic growth does is produce revenues. What the rest of the budget does is spend those revenues—not according to the level of GNP, but according to demographics, transfer-payment laws, and administrative discretion.

From FY 1981 thru 1986, the annual income of the federal government rose by \$170 billion. Every dollar of this new money was spent, and then some. Whether economic growth is a vigorous deficit-fighter therefore depends on Congress and the President changing the formulas and the bureaucracies that govern the outlays. If they won't do that, the revenues can't catch up.

VI. NO LIGHT IN THIS PART OF THE TUNNEL

The winter produced another round of deficit optimism. According to Oswald Johnson in the January 6 Los Angeles Times, "The spectre of budget deficits in the hundreds of billions of dollars, once a yearly nightmare, has become commonplace and perhaps even manageable."

Human Events took comfort in the fact that FY 1986 spending was "only \$43 billion" above the previous year's. "That represents just a 4.6% increase hike, far from the 10% average increases in the budgets of the past." This ignores the fact that CPI inflation in FY 1986 was a mere 1.4%. Real spending thus continued to rise, despite a defense freeze, falling interest rates, stable unemployment and much cheaper oil. If this is a breakthrough, what would a setback look like?

At the other end of the spectrum, some imagine that defense cuts are key to further deficit-control. On the April 4 McLaughlin Group, Jack Germond passed over the implications of the highway bill by saying, "Get it out of the defense budget." Jonathan Rauch had already dealt with this in the January 10 National Journal:

[I]f defense isn't likely to go up much in real terms, it isn't likely to go down very far, either. After two years of freezing Pentagon spending, Congress has used up most of the fiscal dividend that was available from halting the defense buildup.

And a new argument in favor of relaxing began making the rounds last summer. Respected economists from both parties said that the \$108 billion FY 1988 deficit target would not be met, and good thing for that—because reducing spending by \$65 billion (i.e. from this year's projected deficit of roughly \$173 billion to next year's \$108 billion target) means slower growth or even a recession.

"If we go to a \$108 billion deficit, whether by raising taxes or spending cuts," according to New York economist Michael Drury, "you would take so much spending out of the economy that it would go into the tank almost instantly" [Chicago Tribune Jan. 8, 1987]. But the money is hardly going to vanish; it simply wouldn't be borrowed by the Treasury to be spent. This permits other favorable results:

A one-third reduction in the Treasury's borrowing needs during FY 1988, thereby freeing up private capital.

A decline in interest rates over what they would otherwise be, which means higher purchasing power.

The Keynesian argument against "cutting the deficit too fast" trivializes the extent to which today's economy is overburdened by runaway government spending and debt. Given existing debt-loads, every borrowed dollar of spending must also set back, to some degree, private-sector investment opportunities and interest-rate trends.

If \$65 billion in spending cuts is able to delete a point or two from the GNP, is the opposite true? Would increasing outlays by \$65 billion raise the GNP by a similar amount? If the answer is that it wouldn't, the Keynesian argument offered by the old-line economists becomes less plausible. It is

even less plausible when we remember that deficit targets, whether "safe" or drastic, are not reached.

VII. THIS FISCAL YEAR: STILL THE SAME PATTERN

In the fifth year of this economic expansion, high deficits retain their staying power. FY 1987, despite talk of corners turned and discipline delivered, is unfolding pretty much like past ones.

Last July OMB, while downsizing its GNP growth estimates for 1986, raised them for 1987—all the way to 4.5%. CBO was putting the finishing touches on a 3.5% projection.

In August CBO, while admitting that FY 1986 red-ink would greatly exceed its February forecast, maintained that the Social Security surplus would push the deficit down to \$150 billion in FY 1988 and \$69 billion in FY 1991. This assumes not one year below 3% GNP growth during 1987-91.

A wry September headline in Congressional Quarterly read, "Deficit-Cutting Proposals Seek to Avoid Cuts." One antideficit Democratic Member said, "We're about to pull the ultimate scam [and] everybody's in on it—CBO, OMB, the media." [CQ Weekly Report Sept. 20, 1986; p. 2179]

In October an FY 1987 reconciliation package was passed with a \$151 billion deficit; Gramm-Rudman was propped up for the election, with the help of asset-sales and other expedients.

Right after New Year's, CBO wrote to Congress and upped the FY 1987 deficit estimate to \$174.5 billion. OMB also found itself downsizing GNP projections and upping deficit totals.

Private-sector analysts were more critical. Two Wharton economists put the FY 1987 shortfall at \$192 billion and, for FY 1988, at \$184 billion. The National Association of Business Economists estimated FY 1987's gap at \$195 billion.

On January 19, U.S. News noted: "Most private forecasters say the fiscal 1987 deficit is about \$190 billion, not \$173 billion as the Administration predicts."

Yet, on January 20, an upbeat OMB chief Miller reiterated his expectation of an approximate \$46 billion drop from last year's record deficit, i.e. down to about \$175 billion.

In early February, news stories celebrated one month of strong leading economic indicators. Economists were quoted enunciating bullish sentiments much like those of spring 1986. The stock market reinforced these feelings, despite its having almost no impact on the variables that govern the budget process.

But by early spring, the indicators overall were seen pointing to growth closer to the 2-to-2.5% range. Post writer John Berry quoted a senior Administration economist: "There is some quickening in the economy, but it is not solid enough to get your hands on. It's the same as we've seen the last two years."

On March 30 the CBO "scorekeeping unit" wrote to Senate Budget Chairman Chiles to report that FY 1987 outlays were \$13.3 billion above the budget resolution, revenues \$18.5 billion under.

In the FY 1988 budget debate, Rep. Bill Frenzel said: "Last year we provided a bogus budget which could not do that which we said it could do. We said it would deliver a deficit of \$150 billion-plus. By the time we are done this year, our deficit will be pretty close to \$200 billion, just as it has been in the previous four years." [Cong. Record Apr. 8, 1987; p. H 1879]

Something else is safe to say: If intellectually-honest people do not unite against the deception and self-deception that dominate government forecasting and budgeting, the deficit's powerful friends will maintain their commanding heights. The nation will face further public confusion, fiscal default and bureaucratic manipulation, all of which can't help but produce serious economic consequences.

Mr. GRASSLEY. Mr. President, I thank the Chair and I thank the Republican leader for recognizing and granting me permission to speak at this point.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I understand that it had been arranged for Senator SANFORD to speak now. How much time did the Senator desire?

Mr. SANFORD. The time will be yielded by the chairman.

The PRESIDING OFFICER. Is there objection to that request? Hearing none, the Senator from North Carolina, Mr. SANFORD, is recognized.

Mr. SANFORD. Mr. President, there is probably no more important issue we face in the Congress than competitiveness and, in my view, no better forum in which to discuss it than this budget debate.

The budget is the context in which our national priorities are set. It is as much a vision as it is a document—a vision born of the need for America to diversify and reorient its economy, built on a belief in the importance of education, and nurtured by programs that will, as the committee report points out, “in the long run, give back more than they take.”

If we in this country are again going to become truly competitive with our major trading partners, we are going to have to pursue an economic power strategy. It is a strategy that, as the distinguished chairman himself has pointed out, “will raise the competence and efficiency of our work force, sustain our international lead in creativity, and give us the chance to win in the world market.” This is a national “turn-around” budget. We are once again looking to the future.

It will not be easy. Ideas of this magnitude require considerable commitment and hard work on many different fronts.

In education, for example, we must commit ourselves soon to improving the quality of our schools, or we run a very real risk of falling so far behind that it will take us decades to recover. We will have lost that much ground. In fact, there is a good bit of data that shows we are already falling dangerously behind our foreign competitors in many areas of academic achievement.

A 1982 Department of Education study showed that 13 percent of American adults were functionally illiterate, while in Japan illiteracy is virtually

unknown; and this despite the fact to read a newspaper the Japanese have to memorize 3,000 different characters.

Between 1955 and 1983 the number of undergraduate degrees we conferred in engineering increased from roughly 23,000 to 67,000. In Japan over the same period, the number of undergraduate degrees rose from less than 10,000 to more than 73,000.

And in 1984, over 43 percent of the doctoral degrees in engineering that were awarded in the United States went to nonresident foreigners. By contrast, since 1980 the average number of Americans receiving doctoral degrees in engineering overseas has been only 12.

We are also falling behind in other areas. In the period from 1973 to 1985, the annual rate of productivity for the entire United States economy was 0.4 percent—one-eighth the rate of Japan, one-fifth that of France and Germany, and one-quarter that of Italy.

It is time for Americans to roll up their sleeves and go to work. As a nation, we can no longer rely on the oceans or on our abundant national resources for protection against foreign competition. We must begin to rely more on the abilities and imagination of our people and on the knowledge and discoveries they are able to provide.

Put simply, our challenge is not only to improve our economic competitiveness but to make our entire society more competitive as well.

We must also invest more in science and research. The Federal Government continues to fund about half of all the research and development that goes on in this country, but an increasing share of what we spend goes to defense. From 1975 to 1980 about half of all federally funded research and development went to defense; by 1985 defense was receiving almost 75 percent. At the same time, research and development support to nondefense agencies declined sharply.

This cannot continue.

As we look to the Nation's needs in the next decade, the goals of improved productivity and a more competitive American society will require a larger amount of the Nation's research and development effort to go to basic and applied research.

Our Nation must be armed with no less educational software than it has military hardware. We must again become a nation of strong ideas as well as a nation of strong weapons.

And finally, but perhaps most importantly, we must get our financial house in order.

The Reagan administration's budget policies have been nothing short of disastrous for our Nation. In the last 6 years alone, our Federal deficit has more than doubled. We now have a debt of more than \$2 trillion. Interest

on that debt hovers around \$200 billion a year, and annual budget deficits have been running some \$200 billion. And this from a President who has claimed to have as one of the major legislative goals during his term in office passage of a constitutional amendment to balance the Federal budget. As in past years, the President's budget sent over was so bad that even the Republicans will not touch it.

We cannot wish this deficit away, as the President apparently would have us do. To deal responsibly with this Nation's long-term structural deficit will require an imaginative budget strategy aimed not only at reducing Federal spending but also at creating new, well-paying jobs, new markets for our goods, and new opportunities for our people to grow.

But imagination requires something more than just simple budget cutting. It requires a set of priorities around which a new consensus can be built—a consensus built of belief in our workers, belief in our country, and above all belief in our future. We in this Chamber—Democrats and Republicans alike—must demonstrate we have the vision to forge such a consensus and, more importantly, the commitment to make it work.

The budget resolution submitted by the distinguished chairman offers us a basis upon which just such a consensus can be built. I urge my colleagues to give it their strong consideration.

Mr. President, I yield the time back to the chairman.

The PRESIDING OFFICER. Who yields time?

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHILES. Mr. President, I yield 12 minutes off of my time on the bill to the distinguished Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut [Mr. DODD] is recognized for 12 minutes.

Mr. DODD. Mr. President, first of all, let me express my gratitude to my colleague from Florida, the distinguished chairman of the Budget Committee, and at the very outset commend him for the remarkable job that he has done over the past several months in bringing to the floor of the U.S. Senate a budget, albeit a budget

that is not perfect by any stretch of the imagination. It is impossible to fashion or create such a vehicle but nonetheless it is a budget that I happen to believe is a balanced budget that takes into consideration the needs and the concerns of the American people in the midst of a time of unprecedented deficit.

Over the period of coming days, we will debate not only the substance of this particular budget but also what the President of the United States has submitted to us, the alternatives that our colleagues from the other side may propose, a variety of amendments that will be offered to either add or reduce spending, and amendments dealing with revenues and the like.

Mr. President, I supported the budget proposal of the Senator from Florida in the Budget Committee. I did so because I believe that it both confronts the sources of our unprecedented deficit and addresses the future needs of the country. I think that is what a budget ought to do. An enormous deficit, as we all know, cannot be assumed away by unrealistic projections about future economic performance, or illusory savings such as certain asset sales which are included in the President's budget that artificially reduce the deficit in the first year but have no lasting impact at all. That is merely temporary relief.

The chairman's plan, however, with all of its imperfections, achieves real savings to reduce the structural deficit we face in this country. As we are all painfully aware, Mr. President, deficit reduction is not a 1-year exercise. The chairman's plan is a long-range package which eliminates the deficit in 4 years while establishing explicit annual deficit reduction goals along the way. In 1988, the first year of this plan, the deficit would be reduced by some \$37 billion, which is consistent with the \$36 billion annual reduction required by the Gramm-Rudman-Hollings legislation; legislation, I would point out, Mr. President, that I strongly supported when it came before the Congress of the United States in the last Congress.

We cannot continue to finance Government spending by massive borrowing. Under the Chiles plan, the current spend-now-and-pay-later approach would be replaced by what I have advocated for many years, a pay-as-you-go system which would result in \$100 billion less borrowing from 1988 to 1991 than the President's budget.

I share the chairman's belief that both spending cuts and revenues must play key roles in the deficit reduction effort. The chairman's plan presents a balanced approach to deficit reduction by calling for 50-percent spending cuts and 50-percent revenue increases in fiscal year 1988. Over the 4-year period of fiscal years 1988 to 1991, the

budget achieves an equal one-third reduction from revenue increases, domestic savings, and defense savings. Without additional revenues, including taxes, the forbidden word in this Congress, the borrow and spend pattern of recent years will continue. Any realistic budget resolution obviously must include revenues.

The Chiles plan includes modest revenue increases in 1988 and subsequent years. These revenues are designed to reduce borrowing, and not to increase spending. Thus, the chairman's plan requires \$100 billion less in borrowing than the President's budget for 1988 to 1991.

Moreover, Mr. President, and this is most important, the revenues in the Chiles plan are actually less than those in the President's budget. I want to emphasize that. The Chiles plan that is before us actually calls for less revenues than the President's proposal—less taxes than the President's proposal.

The President's budget calls for more than \$22.4 billion in new taxes and new user fees in fiscal year 1988. The Chiles budget calls for \$18.5 billion in revenue increases in that same fiscal year. Thus, even the President recognizes what all of us recognize but refuse to talk about: the impossibility of meeting our deficit targets without some combination of future spending reductions and tax revenues. However, the President publicly claims that he opposes all tax proposals, and that he will veto any tax bill when in fact his own budget calls for new tax revenues.

Mr. President, I support the chairman's plan because I believe that on balance it most clearly defines the major policy priorities which will best serve this country over the next 4 years. That is an essential ingredient, it seems to me, in any budget proposal that comes before us: not only what it will do for us in this particular year, but what it will do for this country in the coming years. I believe that this proposal, the chairman's proposal, makes sure that those programs which I happen to believe are essential to America's future will receive adequate funding, that those programs less essential are reduced.

The chairman's plan is notable for its emphasis on strengthening programs that will help enhance our national competitiveness. The plan provides for \$3.4 billion in funding increases for initiatives in education, science and technology, job training, and job promotion. I agree with Chairman CHILES, that even during this period of austere budgets it is absolutely essential to make sound investments in programs that promote economic growth and enhance competitiveness in the world market.

I also support the increased funding in the Chiles plan for such high-priority areas as welfare reform, AIDS re-

search, Medicaid, homeless support, a catastrophic health program, environmental protection, and the WIC Program, the program that benefits women and infant children. These are the major agenda items that we have before us. These are the priorities that this Nation has to face if we are to remain strong and invest in our future.

I recognize, as I said at the very outset, that no budget is perfect. Indeed, the chairman's plan contains some proposals, Mr. President, which I do not support. I am particularly concerned about the funding levels assumed for community and regional development programs, specifically the 25 percent in the Community Development Block Grant Program and the 10-percent cut in the Urban Development Action Grant Program.

Frankly, if amendments are offered that will increase some spending in those areas, and there is a revenue source identified for it, I will probably support those amendments. But I would say here today as well, that if those amendments are defeated or if those amendments are not offered, I will support this budget, even though those programs are very important to the urban areas of my State.

Connecticut is a very affluent State. The city of Hartford ranks as the fourth poorest city in America. The city of New Haven ranks as the seventh poorest city in America. Despite the affluence of my State, my cities need some help. My State can do some more, but I happen to believe that these community action grants are sound programs and have been very important to our urban areas.

I might point out, Mr. President, that I as well as several of my colleagues on the Budget Committee—including the Presiding Officer—worked to try to restore some funding to these vital programs.

I want to express to the chairman my appreciation for his willingness to ameliorate some of those cuts included in his first mark. However, as I said a moment ago, the adjustments do not go quite far enough. In fact, all of the urban programs have been cut by more than their fair share in the past 6 years, from 1981 to the present.

I think it is important to point this out because there is a lot of misconception about the reason for our deficit.

Mr. President, if a survey were done in the country and people were asked, "Why is it that we have a deficit that is running around \$200 billion a year, a national debt that has been increased by over \$1 trillion in the past 6 years?" I suspect a significant percentage of people in this country would immediately say that we are spending too much in our urban programs, too much in our social welfare programs.

That would be, I think, the immediate response.

Let me point out to my colleagues that over the past 6 years, the budgets that have been adopted by the Congress of the United States have led to reduced spending in the urban areas in this country by some 65 to 70 percent, while the national deficit has increased by over 600 percent.

So the notion that investing in our cities, and in social welfare programs has contributed significantly to our deficit is just untrue. In fact, funding for these programs has been reduced substantially during the period of time that our deficits have increased.

At the same time, of course, I would add that while these budgets have been reduced to support our cities and urban areas, the demands on these cities have grown stronger and the problems increased.

I will continue to support funding for these urban programs. But I would not say to my colleagues or the chairman of the committee, that despite their importance, I would reject a budget even though it does not fully meet the concerns that I have in this certain area. I would not reject this budget for those reasons.

I would also, Mr. President, point out that I support additional funding for children's programs. During the best of times, we have not done a very good job to enhance the lives of our children. America's children need our attention. It is worth making an investment in their behalf; that should be obvious.

We must make an investment in increasing the number of healthy babies and increasing the number of healthy pregnancies. We must make an investment in early childhood education and in the Headstart programs. We must support the women's infant's, and children's programs that contribute significantly to those goals.

Study after study has shown that an investment of money in these programs returns far more to the Treasury than the cost of running these programs, not to mention the benefits of improved health and education it bestows upon infants, children, and families.

If America truly wants to be competitive in the next century, we must have healthier children and better educated children to take our place in society.

I am sure most of my colleagues are aware of two statistics that I think say more than all the speeches and all discussions about funding of children's programs in this country.

We have the unique distinction among all industrialized nations in the world today of being the only industrialized nation on the face of this Earth that has as the poorest sector of its population its children. We are tied

for 20th place in the world in infant mortality statistics.

I find that incredible to believe, that in the midst of affluence unprecedented in the history of man, this great Nation and the strongest Nation on the face of this Earth should be tied for 20th place in infant mortality, that we should rank at the bottom of all industrialized nations in having children as the poorest sector of its population.

How can anyone stand up and talk about a strong America in the 21st century knowing simultaneously that those who will be charged for bearing that burden are growing up as the poorest sector of a population in an industrialized country that ranks at the bottom of all industrialized nations?

Mr. President, let me speak briefly, if I can, about the other side of this budget, the defense side.

Mr. President, again, like all of my colleagues here, I support keeping this country strong. Those of us from my home State of Connecticut are deeply proud of our contribution to the national security of this country. While my State is a small State, we are responsible for some of the major parts of our defense arsenal today. Our modern submarine fleet, our jet engines, our helicopters, our tank engines are just some of the Connecticut products that make us a stronger nation.

Those of us who are from that State, take pride in the fact that we have contributed to the defense of our country for 200 years. We have been known as the Provision State, going back to the Revolutionary War when Jonathan Trumbull and others contributed significantly in terms of food and supplies to the Revolutionary Army of George Washington.

Since that time forward, we have contributed significantly in that regard. We are proud of that contribution.

At the same time, Mr. President, I would tell you that given the recent record of drastic cuts in domestic programs, we, from Connecticut, who contribute significantly to the national security of this country in defense procurement, also understand that no budget can be considered to provide a fair sharing of the burden of deficit reduction that does not also include savings in defense.

Under the Chiles plan, defense spending would be some \$6.9 billion in 1988 and \$83.6 billion over the next 4 years. Defense outlays would continue to rise under the Chiles plan but at slower growth rates than those in recent years.

The Chiles plan provides for \$284 billion in defense outlays in 1988, and the total of \$1.2 trillion over the next 4 years. That ought not to be considered skimping on defense spending.

To be spending \$1.2 trillion under this plan over the next 4 years ought

to be adequate funding for the Defense Department and others to provide for the security needs of this country.

I happen to believe that these amounts are sufficient for sustaining improvements in the U.S. defense posture, resulting from the trillion-dollar military buildup in the early 1980's.

In recent years, Congress, the Department of Defense, and other Government agencies have identified billions of dollars in defense savings that can be applied toward enhancing the defense programs without large annual increases in the defense budget itself.

In the final analysis, Mr. President, our budget ought to be a national security budget. However, we must understand what national security means in both domestic and foreign terms.

Over the past several years, we have concentrated almost exclusively on the weapons race. In doing so, I happen to believe that we neglected to a dangerous degree the other races which we are in and trying to win. These include the race to maintain and enhance the quality of life in this country; the race to improve the economic growth of this Nation; the race to become competitive; the race to better education in this country; the race against AIDS, the most frightening disease in the history of mankind; the race to restore our basic infrastructure in this country; the race against poverty; the race against infant mortality; and so on.

They are also part of this Nation's race, as well as the arms race.

Certainly, these are races that also will determine how strong this country is. If we do not win those races, I would suggest to my colleagues that merely winning a race in terms of military buildup will not make this Nation a stronger country. We will suffer if we fail to invest in human development and those other elements that society must have.

I would argue that history teaches us that nations have crumbled because of their unwillingness to support those needed programs within a nation and have fallen to outside aggressors because of that weakness.

Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Mr. CHILES. No objection.

The PRESIDING OFFICER. Hearing none, the Senator is recognized.

Mr. DODD. As I indicated earlier, the Chiles plan is not perfect. However, I support it because it begins to make the hard choices essential to deficit reduction and sound long-term economic growth. It recognizes our Nation's priorities—education, science and technology, job training, job promotion, catastrophic health insurance, infant mortality and welfare reform. I

urge my colleagues to look at this budget carefully, to understand that it does present us with a balanced approach that will put us on a glidepath to reducing deficits and investing in this country's needs, not only for fiscal 1988 but throughout the remaining 4 years for which this budget allocates funding.

We must send a message to the American people that the Congress of the United States is serious about deficit reduction and serious about making the hard choices and setting the priorities to ensure a better future for our country.

Mr. President, I yield back the remainder of my time.

SEVERAL SENATORS addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield 10 minutes to the distinguished Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland [Mr. SARBANES] is recognized for 10 minutes.

Mr. SARBANES. Mr. President, the budget resolution has been described simply and accurately as "a plan setting out broad spending and revenue targets, to be implemented later in separate budget reconciliation and appropriations bills." Because the resolution for fiscal year 1988, Senate Concurrent Resolution 48, is a sum of many parts, each intricately connected with the others, the debate now underway will for the most part be narrowly focused—on the details of the resolution pending before us, on the trade-offs possible or desirable, on the constraints imposed by the extraordinary budget deficits which are a lamentable consequence of the policies of the past 6 years.

To vote on budget proposals is to make decisions which can carry with them long-term implications. A budget should not be a sterile exercise; it is rather an effort to reconcile the limitations imposed by the realities of the present with the longer term requirements—and aspirations—of the Nation. The ramifications of the fiscal year 1988 budget will extend well beyond the 1988 fiscal year. With difficult and complex choices before us, it is important to step back, however briefly, to consider the broader questions of goals and policies which should be an integral part of the budget debate. We ignore these broader questions at our peril.

It was to ensure consideration of the broader perspective that the Humphrey-Hawkins Act, enacted in 1978, amended the Congressional Budget and Impoundment Control Act of 1974 to stipulate that in both Houses "there shall be a period of up to 4 hours of debate on economic goals and policies."

That legislation was introduced and championed in the Congress by our late distinguished colleague, Senator Hubert Humphrey, and led in the House by Congressman Augustus Hawkins, who continues to serve with great distinction in that body, where he is chairman of the Education and Labor Committee.

One of the purposes specified by the Budget Act was the establishment of "national budget priorities;" in addition, the act specified that in each House the report accompanying the first concurrent resolution shall include "the economic assumptions and objectives which underlie each of the matters set forth in such concurrent resolution and alternative economic assumptions and objectives which the committee considered." But the Budget Act focused on the objectives underlying "each of the matters set forth" in the budget resolution, and not on the objectives underlying the resolution itself. Humphrey-Hawkins provided the framework for that broader review.

At no time in the 12 years since passage of the Budget Act has it been more important for us to address the question of underlying goals and policies, to undertake the broad review which the Humphrey-Hawkins Act called for. We live today in a profoundly changed and changing economic environment, where for the first time in our history a rising U.S. standard of living will depend on the ability of the American economy to perform effectively in the international economy. Recent trends in the international performance of the American economy raise urgent questions about our ability to compete in world markets. The U.S. merchandise trade deficit last year reached an unprecedented \$170 billion. A massive inflow of capital from abroad has financed these extraordinary deficits, and because we have run these large trade deficits over the last few years America has gone from being the world's largest creditor nation to being the world's largest debtor nation. We are now a debtor nation for the first time in 65 years.

The erosion in our international position has been so pronounced and so deep that even the 1987 report of the President's Council of Economic Advisors acknowledged that "the trade balance has deteriorated against virtually all major trading partners and in virtually all major product categories."

To recover the ground lost in the past 6 years will take many years. Our current debtor status means that eventually we will have to turn our merchandise trade deficit into a surplus to pay off the debts accumulated in the past several years. If this is to be accomplished without reducing our standard of living, we must do more

now to build a strong and competitive economy.

We must therefore focus on the question of economic growth—in both the United States and world economies. The recent record with respect to growth is disappointing at best. Last year real GNP in the U.S. grew only 2.5 percent, while output in the entire industrialized world grew only 2.4 percent. For this year the consensus among private forecasters is that U.S. GNP will grow by a sluggish 2.4 percent, while the IMF has revised its estimates downward to predict growth in the industrialized world at only 2.25 percent.

At home sluggish growth has clearly undesirable consequences, among them the following:

Slow growth aggravates the sharp disparities between regions in the United States, many of which have had a very difficult time in this economic recovery;

Slow growth makes more difficult the already difficult process of adjustment to rapid and fundamental changes in the economy;

Slow growth leaves an unacceptably high proportion of American workers unemployed, or employed part-time involuntarily, or even relegated to the category of "discouraged workers" who have given up hope of ever finding a job and left the job market entirely. By the end of 1986 the civilian unemployment rate, which rose during the last recession to nearly 11 percent, had just about returned to the 1980 level—7 percent as against 7.1 percent.

I want to emphasize the importance of that unemployment figure, stuck at what is, by any measure, an unacceptably high level. In March of this year, with civilian unemployment at 6.6 percent, 7.9 million willing workers were unable to find jobs in the American economy. Another 5.5 million willing workers were working part time, not because they chose to do so but because they were unable to find full-time employment. An estimated 1.2 million Americans were officially classified as "discouraged workers"—out of the job market, having given up hope of finding a job in our apparently prosperous society.

Bringing down the unemployment rate has hardly been a major accomplishment of the current recovery. What success there has been is relative: relative to the double digit rates of 1982 and 1983; from September 1982 through June 1983 the rate actually exceeded 10 percent—for the first time since 1940—peaking at 10.7 percent in November 1982.

The current rate, while clearly an improvement over the recession figures, is barely better than it was in 1980, when it was 7 percent. In other words, the economy has been running

hard for nearly 7 years simply to avoid losing ground.

While there can be debate over the definition of "full employment," there can be no complacency over the performance of the economy when it comes to providing employment opportunities for all our people in all regions of the country. The Employment Act of 1946, enacted at a time of vivid personal memories of the hardships of the depression and in the face of the challenge of the postwar era, explicitly recognized "full employment and production" as primary national objectives. The Humphrey-Hawkins Act reaffirmed that recognition.

It is worth remembering that for every percentage point reduction in the employment-unemployment rate, an estimated \$40 billion comes off the deficit. That is, if the unemployment rate today were at 5 percent instead of hovering close to 7 percent, we would benefit roughly \$80 billion in dealing with the deficit question, and the Nation would reap the benefit of the increased production which would flow from the millions of people who would be working instead of sitting idle.

Sluggish growth abroad means ever greater pressure on U.S. domestic markets by foreign producers. For the past several years the United States has offered the world's only rapidly growing market. Faster growth abroad, in both the industrialized and developing nations, will help ease the process of reducing the United States trade deficit and also the West German and Japanese trade surpluses—of restoring the necessary balance to the world trading system. In the absence of stronger growth, trade frictions and the associated economic and political tensions will grow more severe.

More vigorous growth, a more competitive economy and expanding employment are objectives that can and must be sought concurrently. One cannot be achieved at the expense of another. If they are to be achieved, however, careful attention must be paid to fiscal and monetary policy.

In addressing current budget issues, the goals for the future must be kept in mind as we focus on today's difficult choices. A commitment to prudent investments is essential in a number of pivotal areas—among them education, job training and retraining, health, research and developing and physical infrastructure, all of which represent investments in building the future strength of our economy. The challenge is to develop policies consistent to the maximum extent possible with our long-term objectives for the economy. The solution must be in seeking those objectives.

Mr. BINGAMAN. Mr. President, today, as we consider the budget resolution it is especially important to raise the question of our long-range

goals. More than another other single piece of legislation, the budget is the reflection of the Federal Government's goals and priorities. This year, as the Senate begins work on a comprehensive trade and competitiveness package, it is especially crucial to examine those long-range goals and priorities.

One of our long-range economic goals should be restoring the economic competitiveness of American industry. Much has been said about competitiveness. The term has come to mean many things to many people. Whatever we may think of the term, we must keep in mind that the purpose of competitiveness is to raise America's standard of living. According to the Young Commission:

Competitiveness is the degree to which a nation, under free and fair market conditions, produces goods and services that meet the test of international markets while simultaneously maintaining and expanding the real incomes of its citizens.

Many equate our problems in competitiveness with our trade deficit. Trade is a major problem. Our merchandise trade deficit in 1986 was \$170 billion, an increase of 20 percent over the deficit in 1985. Our current account deficit climbed in 1986 to \$140 billion from a record \$118 billion in 1985. Even more worrisome, our past trade surplus in high-technology goods has disappeared—in 1986 high-technology goods trade went into deficit for the first time.

However, the problem facing America is not simply a trade deficit but the decline in America's standard of living. Real wages in manufacturing declined by 4.3 percent from 1973 to 1985. The median real family income decline about 5 percent between 1973 and 1985. High real wages can only be sustained by high productivity. Yet, productivity growth in the United States average only 1 percent between 1976 and 1986—in Japan productivity growth averaged almost 3 percent and in Korea almost 6 percent.

Competitiveness is not just trade, but includes technology, human resources, capital formation, and international economic policy.

Technology is another area of concern. U.S. nondefense R&D expenditures remain well below both Japan and West Germany. As a result, more of our technology comes from abroad. The percentage of U.S. patents received by U.S. residents has decline from almost 80 percent in 1965 to about 55 percent in 1986.

In human resources, the problems in education is especially worrisome. A survey of reading skills found that less than half of American 17-year-olds performed at higher than basic or intermediate levels.

In capital formation, America has become the world's largest debtor nation. We continue to finance our

budget deficit with borrowing from abroad.

Issues of Third World debt and international economic policy coordination are also important to the continuing economic development of our Nation. Our domestic policy toward competitiveness must be coordinated with our international economic policies. America's competitiveness rests on a healthy and growing world economy.

Mr. President, the list of our competitiveness problems could go on. To begin to correct these problems, we must make the goal of restoring our economic competitiveness, with the purpose of raising the standard of living, a major priority of our economic policy. But we must keep in mind that competitiveness is a long-term concern. It is not something we will solve overnight. Competitiveness will require our continuing attention, especially during the consideration of this and future budgets.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I yield as much time as the distinguished Senator from Wyoming requires.

Mr. PROXMIRE. Mr. President, will the Senator yield me 30 seconds?

Mr. WALLOP. I am pleased to yield to the distinguished Senator.

Mr. PROXMIRE. I thank my good friend from Wyoming being so gracious, I know, patiently waiting on the floor.

Mr. President, I want to commend the senior Senator from Maryland, who is also chairman of the Joint Economic Committee, for taking the initiative to hold this colloquy. The Congressional Budget Act of 1974, in fact, requires that there be a debate on economic goals and policies following the presentation of opening statements on the first concurrent resolution on the budget. Never has such a debate been more urgent than today.

Of course, Congress understood when the Budget Act was adopted that enactment of a congressional budget would have profound effects on the economy and that it is of fundamental importance to continually review and remain aware of economic goals and policies during consideration of the Federal budget.

I could not agree more with my distinguished colleague's statements about the Federal deficit. The importance of the deficits, in the context of present economic conditions, cannot be overemphasized.

Many of the most serious economic problems can be traced to dissaving by the Federal Government. All of us are aware of the incredible increase that has occurred in the national debt. The debt has gone from \$1 to \$2 trillion in about 5 years, and may well exceed \$3

trillion by 1989. The Federal deficit, which has also climbed to alarming heights in the past 5 years, may be edging downward. But I want to stress the words "may be."

If interest rates continue to increase, the interest on the national deficit will climb and offset much of our efforts to reduce the Federal deficit. I have calculated that an increase in interest rates of 1.5 percent would cancel the administration's proposed fiscal year 1988 spending cuts by about \$15 billion.

It is my own view that rapid rollback of the Federal deficit is not the most important thing in economic policy today—it is the only thing. The fact is that, given the age of the current economic recovery, we are in a race to reduce the Federal deficit before the next recession. The deficit could climb to the \$300 to \$400 billion range if the next recession occurs before substantial progress in reducing the deficit has been achieved.

I do not believe the economic goals of full employment, balanced growth, and international competitiveness are attainable so long as the Federal deficit is at a dangerous level. It is from this perspective that I assess budgetary proposals.

I do not advocate cutting all Federal programs. Indeed, there is justification for increasing some programs. But the overall trend must be to reduce the size of the Federal deficit. I would support an increase in Federal revenues so long as the increase is dedicated to reducing the deficit.

I thank my good friend from Wyoming.

Mr. DOMENICI. Mr. President, I yield as much time as the distinguished Senator from Wyoming desires.

I tell the Senate from our side I understand that Senator WILSON, the Senator from California, desires to speak following Senator WALLOP. We have no other Senators who desire to speak in the near future so it is Senator CHILES, the chairman and my intention after those two speeches to ask that the Senate go in recess until about 1:30 and we are trying to arrive at a time certain for a vote on the pending Chiles amendment.

I now yield to the Senator from Wyoming.

The PRESIDING OFFICER (Mr. REID). The Senator from Wyoming is recognized.

Mr. WALLOP. I thank the distinguished Senator from New Mexico and the Chair.

Mr. President, I am once again amused by the propensity of this body to focus on anything but what is in front of us. Slow growth, et cetera, can be a topic of interest, but it is not to be solved by this budget. Defense of America is not resolved by the single announcement of a dollar figure over

the next 4 years, but only in the relationship of that figure to the needs and sustainability of strength, of troops and readiness, and advance necessary to the survival of freedom and democracy in this country. So Senators talk grandly of cabbages and kings, but certainly not of the budget.

There is no doubt, indeed there is certainty in the mind of this Senator, that the budget is a disaster and the budget process is on the verge of chaos. Indeed, I suspect the verge has been passed and chaos is now omnipresent.

The budget resolution under debate is a disaster both from a national perspective and particularly it is a disaster for Western States as my colleague from New Mexico so coherently explained.

I have a parochial problem that is equivalent to that of the Senator from New Mexico with this budget resolution.

While the resolution, on the whole, ignores fiscal responsibility, what budget reductions that are proposed are totally and highly irresponsible. The budget resolution has targeted the Western States for the harshest cuts. My State of Wyoming, that of Montana, North Dakota, Colorado, Nevada, Arizona, and all other Western States will find nothing to cheer or support, in this budget resolution.

On the macrolevel, the total impact of the Chiles plan on the Western States for fiscal year 1988 will be budget cuts of \$554 million. For the Eastern States, programs that are specific to that area will have cuts of \$7 million. Thus, for every cut of \$1 in spending in the East, the West will have to bear cuts of about \$80. Over the next 4 years, the East will face cuts of \$228 million, while the West will have \$3.1 billion in cuts. At best the West will have budget cuts a little more than 10 times those faced by the Eastern States.

Some might think that there is a lot of fat out West and that these cuts are somehow or another appropriate. The truth of the matter is just the contrary. These are lean times in the Western States. Louisiana has the highest unemployment levels in the Nation, and Western States such as Texas, Oklahoma, and Wyoming are not very far behind. The reductions in Federal spending most often involve western lands which are owned by the Federal Government. The Western States cannot tax the land nor the products coming off of these lands. This is a luxury which has been reserved to the Eastern States which do not have a Federal presence except in enclaves such as Washington, DC—which is heavily subsidized by the Federal budget.

Let me walk through just one and there are many of the proposed cutbacks affecting my region of the coun-

try. This is budget function 850, receipt payments to the States. Some might think this is a slush fund replacing general revenue sharing. The truth is that receipt payments to the States are payments for resources removed from the lands in each State. Unlike States of the East and those east of the Mississippi the Western States cannot simply find some means of applying ad valorem or severance taxes to these depleted resources. We cannot because the lands are Federal lands, and the States cannot tax the Federal Government. To resolve this inequity, the Federal Government is required by law to share the revenues from these resources with the States where the resources were located. The receipt payments are not a Federal gift to the States. The largess of the East to the Western States. They are an obligation because we supply the services of law enforcement, of fire, and civil requirements to these lands.

We educate the children of these employees, we provide police services and fire services to these lands. The funds are State funds and the Federal Government is simply returning the funds to the States. This is not a Federal appropriation to the States, and their local governments. It is a statutory obligation created by the sale of natural resources in a particular State. Yet, the Chiles plan would cut these funds which actually belong to the States as part of the facade of meeting the deficit reduction targets of the Gramm-Rudman-Hollings Act.

This resolution, the Chiles plan, is a measure that no Western Senator, regardless of party, can vote for without harming his or her State. It is a plan with nothing but ill-will for the West. It is, in fact, regional warfare! It would overthrow a carefully constructed relationship between the Federal Government and the States going back almost a century. Ignoring this intergovernmental partnership is another attack on the principle of federalism and States' rights under the Constitution. It is a bad plan, and there are other bad plans with this budget. It is bad for the Western States, but it is also bad for the budget process. It must really be defeated.

Mr. President, I began by saying that the budget process is in shambles. Look at this procedure—the Budget Committee did not report one, but four budget resolutions to the Senate. Presumably, we thought we might provide Senators with a menu of budgets to suit everyone's tastes. In reality, the committee has presented us with four unpalatable choices. We either vote for higher taxes and more Government spending, with the exception of our defense and national survival, or we vote to ignore our deficit reduction targets. Then any vote we cast is irresponsible. Yet, by some incorrigible

and devious device, Senator CHILES would cloak us in "deemed"—to use the vernacular word—responsibility. Deemed by whom, one might ask? Deemed, I say, by the craven action of majority vote, where the supermajority demanded by a law, that we all proclaimed wonderful last year, which was passed.

We have, perhaps, one last opportunity, somewhere along the line, to bring the budget process under control and reduce deficits. By May 15, we have to pass a debt ceiling extension to fund the Federal debt of \$2 trillion. I cannot, and most Americans cannot, imagine what that figure means—\$2 trillion. Some would have us measure dollar bills stacked to the Moon and back and some would have us do all kinds of things, but it is beyond comprehension to all of us what that means, except that it means that we are not doing what we all set out to do.

Now, with the direction we are taking with the proposed Chiles budget resolution, that debt will continue to climb, not at a reduced rate but at an accelerated rate on what we said we were going to impose upon us by the discipline of Gramm-Rudman-Hollings but which we deem not to be our responsibility anymore.

If we were to pass this resolution it will be a formal declaration that the 100th Congress—that is a nice round figure, the 100th Congress—will have surrendered to the deficit and is at the same time in the process of surrendering to worldwide advances of the Soviet Union and Marxist revolution. With what do we intend to resist it when defense declines below Carter levels? With what will we resist it while visions of global solutions proposed by the administration are denied to the executive branch and held in Congress for momentary reaction to politically popular initiatives?

Not a foreign aid carefully designed to expand and enhance the U.S. presence here and there in the world on a policy basis, but on the momentary passing of a popular political whim that might arise at some moment in time that catches the fancy of this body, that has little to do with the overall presence and projection of U.S. forces and power in the world.

The budget lacks a vision of America in the world. It cannot conceive of American policy, only American reaction. It is budget without national hope. It is a budget of venal political self-interests, no defense, no policy, high tax, and self-indulgence unworthy of America. That is the hallmark of this resolution. It is unworthy of those who went before us and it is debilitating to those who must succeed us. Some day, somewhere along the line, the United States must come to grips with national responsibility, national purpose, and American presence in the world.

It is a budget of midgets; yet even midgets can have courage. Those are not the midgets who offer this to us. This is a budget which we really must look at carefully. It pits regions of the country against each other. It decreases and debilitates America's defense. It removes our projected presence and ability to react to world solutions. It removes, even more importantly, our ability to influence global solutions to identifiable problems. It denies us, as a government, that opportunity. It holds that in the hands of political opportunism operating day to day in the Congress of the United States, whether in the Senate or in the House.

It is my hope that somehow or another in this process—it is not my expectation—that we come to grips with what is presented to us and deal with it as it ought to be dealt with and go back and do the job that Gramm-Rudman-Hollings tells us to do and not deem our responsibility met by a majority. But if it is, in fact, the purpose of this Senate to raise the deficit \$34 billion, let us take the supermajority that we required of ourselves. Let us take the process that we crowded about but a year ago as putting us on the road for national resolution of huge deficits and an inability to cope with ever-rising, and ever-functional dimensions of expenditures in this country that have no relationship to a plan and only a relationship, one, to reelection and, two, to popular political moments.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, the distinguished Senator from California desired to speak for about 10 or 15 minutes. He is unavoidably detained for a few moments.

If there is no one else desiring to speak, I suggest the absence of a quorum. He will be here shortly. That is our last speaker that I know of during this period.

The PRESIDING OFFICER. Does the Senator wish the time to be equally divided?

Mr. DOMENICI. I ask unanimous consent the time on the quorum call be equally divided.

The PRESIDING OFFICER. Without objection, that is the order.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I yield off the resolution as much time as the junior Senator from California, Senator WILSON, desires at this point.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. WILSON. Thank you very much, Mr. President. I thank my friend, the distinguished senior Senator from New Mexico.

Mr. President, it is difficult for me to really imagine that the Senate is debating this measure and that it has come to us in the fashion that it has. We are all familiar with the ancient story about the child who cried out that the emperor wore no clothes. Here we are saying effectively, by the substitution of a completely different set of economic assumptions, do not say that; he really does have clothes. You just cannot see them. Or it is as though a recipe for a cake called for butter but instead the cook has only lard. But assuring his guests that in fact the lard is really butter, he goes ahead and makes the cake, and it does not taste quite the same, but we are supposed to say that it is a fine cake. Or perhaps the most appropriate analogy is to say that it is as though there were a gaping hole in the middle of the floor of a room, that while we worry for fear that someone may stumble and fall and injure themselves falling into that hole, instead we have simply addressed that hazard by literally papering it over.

Well, of course, the danger continues to exist and the danger is to the taxpayer, not just today's but to the future generations whose future we are mortgaging as we continue to leave the deficit unaddressed. That will happen if we say this hole really does not exist. Well, the danger is, of course, that we will fall through it because the economic assumptions of this entire budget that the distinguished Senator from Florida has offered is something that is false. But what is real in it in addition to the danger that I have described is another very specific danger because while it seeks to increase spending in a variety of ways, it achieves some fictional balance in the budget, or rather it achieves some fictional target level toward deficit reduction by savaging defense spending.

And it is that aspect that I wish to concentrate upon, Mr. President, for just a few moments hoping to point out to colleagues on the floor who are seriously concerned with our credibility at a time when we seek serious arms reduction. There are many colleagues who worry as to whether or not our military credibility will warrant our being able to achieve those reductions and still retain credibility if we in fact reduce the nuclear arsenal with which the superpowers confront one another in Europe. There is grave concern on the part of many that we have left unaddressed the imbalance in conventional superiority which the Warsaw Pact threatens our NATO allies with.

The amount of cut in this proposed budget to our defense spending is simply not a matter that we can shrug off because for the past 2 years, Mr. President, this Congress has imposed real declines upon defense spending—real declines of almost 7 percent below the fiscal year 1985 level. This year, if we were to follow the House and the Chiles budget, will mark the third consecutive year that we have engaged in a real decline in negative growth for America's defense. Specifically how much? Well, the Chiles proposal threatens to cut \$14.7 billion in outlays from our defense request for 1988, and of course the House proposal is even more irresponsible. It would cut even more, \$16.6 billion. And a cut of \$16 billion in outlays can work an unlimited amount of mischief in a variety of ways as a threat to our overall credibility in terms of national security.

Now let me take a few moments to point out not fictional horrors but the realities that we are confronted with if in fact we have to swallow these incredible and irresponsible defense spending cuts. I doubt that anybody on this floor favors reductions in force structure. I doubt there are very many people here who wish to cut pay at a time when we recognize that we should be increasing pay for the military, increasing benefits, or otherwise we cannot realistically expect to compete at a time of an All Volunteer Force for the kind of young men and women that we expect to provide a quality military force. We will drop further and further behind the private sector. We will not be paying anything like comparable wages or benefits, and we will lose that competition. There is no mystery, and no great suspense.

Mr. President, what is asked for is that we do things either to manpower or to procurement or to research and development that quite literally threaten to cripple our ability to maintain a credible defense force. Specifically, in 1988 our prior year obligations, those things for which we have already entered into a contractual obligation, total \$117.5 billion. It is 40.6 percent of our total DOD outlays. Now if we decide we are going to cut in that area, Mr. President, it does not make a great deal of sense. It is perhaps the worst of all possible worlds, because, No. 1, we will not get what we are already obliged to pay for and, second, we have remained obliged to pay for it, at least to the extent of contract damages for breach of contract. So we do not get the goods but we have to pay what the contractor was reasonably expected to win as profit. That is a doubtful bargain. I do not think anybody thinks that would be a wise thing to do.

I doubt also that we think that it would be a very smart thing in a time when this floor is a buzz of talk of

readiness, combat readiness, operational readiness, to totally debilitate any hope we might have of maintaining or achieving a greater readiness. What we are talking about in terms of readiness, Mr. President, has to do with training. It has to do with live fire exercises. It has to do with maintenance of aircraft, of tanks. It has to do with all of the operational requirements, all of the support for our combat forces, and that does not come free. It does not even come cheap. It costs \$9.9 billion, almost \$10 billion—3.5 percent of the fiscal year 1988 DOD outlays.

If I were to suggest we do that, there would be an outcry from many on this floor that such cuts would in fact be irresponsible, and that would be true. And yet it is one of the unhappily obvious alternatives to which we may be forced to turn if we adopt the Chiles budget.

Mr. President, we could get into elaborate detail but we do not have time. But if you look at just three areas of the defense budget, pay, prior year obligations, those for which we are already on the horn legally, and if you look at the operational requirements so that we can have some hope of maintaining readiness, if you take all of those and say those really are unwise, we should not consider those, those have to be considered off limits as we seek ways to cut defense spending, then it is my unpleasant duty to inform the Members of this body that we do not have a whole lot left in the way of options—only about 10.4 percent of the Defense Department budget or, in outlays, roughly \$30.2 billion. That is all that remains when you set aside those other things that are so unwise to cut.

Let us just take half of that gap. Let us take \$16 billion. That is what the House budget would require we cut, and the Chiles budget is essentially the same, though it is slightly less.

One thing we can do is eliminate all procurement in fiscal 1988. We could just terminate procurement of aircraft, ships, missiles, tanks, wheeled vehicles, ammunition, all of the so-called other procurement items, which are absolutely essential to the functioning of the armed services.

People would say, "But that is unthinkable; it is just a drastic, draconian cut that would leave us in an untenable position." It would also, I might add, save us less than \$13 billion in outlays in fiscal 1988 spending. But what it would do is it would so undermine our credibility that it would be a virtual invitation to the Warsaw Pact and the Soviet Union to look not to next year but to about 10 years from now when we have forsaken all thought of modernization and they are at such marked advantage that we really cannot say in good faith to our young men and women, "Yes, we are

asking you to stand ready to go to war, but, admittedly, in inferior tanks, in inferior aircraft whose combat performance does not really offer you much of a chance to survive against the superior Soviet aircraft and tanks."

I do not think that many people on this floor are willing to do that.

To avoid it, Mr. President, we have to engage in what is called modernization. We do not spend as much as I think we should on research and development, to see to it that we do not come to that sorry past. And yet, if we were to decide, well, the easy way, the path of least resistance to meet our obligations under the Chiles budget, is to simply cut research and development, we would wipe out 76 percent of the R&D accounts, if we look to R&D to absorb the blow.

This would mean terminating virtually every major undertaking in research and development, and that, Mr. President, is to invite catastrophe. It is to invite extortion in about 10 years' time, when our disadvantage is so marked, so clear, that we are, in fact, clearly incapable of winning a war on any grounds in any theater.

Or we could simply terminate all new starts, all the controversial programs. We could say, whether in procurement or R&D, we just will not begin on things like modernization of our intercontinental ballistic missile program. We will forget the strategic defense initiative. We will simply say, yes, it is better to save lives than to avenge them; that it would be a wonderful thing if we could really make implausible a Soviet first strike against the United States, but, gosh, we cannot do that.

We would have to terminate Asap, the C-17 transport that is necessary for us to have any kind of honest expectation that we can attain the master aircraft plan.

It would mean that we would have to give up on fighter modernization and even fighter production.

The advanced-technology fighter we would simply consign to the realm of wished-for dreams, and, of course, when we do so, we would be saying to our fighter pilots in the future, "Gee, we are terribly sorry, but when you scramble, it will be with the knowledge that you are in an ancient aircraft of ancient design, of inferior avionics, inferior dogfighting capability."

I do not want to say that to young men and women who we ask to serve in the armed services. I do not want to say that we cannot develop an adequate force of Trident II submarines, which will offer us the kind of mobility in our intercontinental ballistic missile program that will, in fact, provide the kind of deterrent that will be very credible to the Soviet Union in pre-

venting them from engaging in first strike.

You know, the tragic thing about all this, Mr. President, is that doing many of these things that I have just described, which I hope my colleagues will recognize to be an unthinkable mistake, would reduce the defense budget by about \$38 billion in budget authority, but only about \$8.2 billion in outlays, and we would still have another like amount, another \$8 billion plus, that we would have to find elsewhere.

I do not think any Member of the Senate could possibly countenance anything so irresponsible.

By the way, if anybody is wondering how were we able to engage in spending cuts in the past, well, let me let you in on what is probably not a secret to anybody who has watched these debates in prior years. We have done it by gimmicks, like moving a payday from one fiscal year into the next and save \$2.2 billion. We have done it by accounting sleight of hand. It has been no secret. But it has made adjustments which legally, if not substantively, allow us to comply with the requirements of the law.

And we have done other things. We have required contractors to bear up-front costs of tooling. We have mandated a change, an unwise one, in progress payments to save a billion dollars. We may save a billion dollars by driving some people out of business, particularly the small business contractors who are an essential part of our Defense Establishment.

And what we have done does not achieve credibility, but what we have done is use up all the gimmicks, all the accounting sleight of hand. Now we are faced with the grim reality that without any further financing adjustments what we are going to have to do, if we adopt the Chiles budget, is so savagely and irresponsibly cut defense spending that if there is any clear understanding of its import we will make recruiting very difficult because it will be impossible for us, in good faith, to say to the young men and women of America, "Not only do we expect you to stand ready, but we are not able to give you what you deserve as we ask you to take the field in defense of American liberty and that of our allies. That is the best that technology can afford."

That is what we have done in the past. We have never asked young American men and women to don the uniform of the United States without having the assurance that they were going to be equipped with the best. We have never asked them to risk their lives without the assurance that the risk would not be an undue one.

Now we are saying the risk is enormously magnified. We are saying, "The countermeasures that are being developed by the Soviet Union will not

receive any counter on our side, not because it is beyond the grasp of our technology, not because we are technologically incapable of giving you the best, but because the Chiles budget requires that in order to engage in other spending of a much lesser priority, we are going to simply so dramatically shorten defense spending that the risk is on you."

Mr. President, that is unconscionable. It is not something that any Member of this body could in good faith, with clear understanding of what he or she is doing, possibly vote for.

The level that we are being asked to vote for would prune us back so far that it would take us back to the dismal days when on both sides of the aisle in this body in the last years of the Carter administration there was a sense of outrage because we had achieved a hollow Army, an inadequate Navy. It was very clear then, Mr. President, that we were in very serious jeopardy of encouraging our allies to breach their obligations with us and to seek to cut their own deal with the Soviet Union so that they might be the last that the tiger would eat.

Mr. President, there is an infinite body of detail that we could go into, but it is beside the point. The basic points I have made. Others on this floor will follow me, I am sure, and will seek to reemphasize in one particular or another the lack of wisdom of the policy that is compelled by the adoption of the Chiles budget. There are no words that can adequately express how dangerous it would be for us to do so. So there are two very compelling reasons to vote against the Chiles amendment.

The first is that it is phony. The discussion of these economic assumptions, choose your own analogy, is papering over a gaping hole in our floor; and, second, it is asking us, or more accurately the young people of America who we are asking to serve in an All Volunteer Force in our defense, to do so with hopelessly inadequate equipment, hopelessly inadequate living conditions.

I want no part of that, Mr. President, and I intend to have no part of it.

I thank the Chair and I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WILSON. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILSON. Mr. President, I ask unanimous consent that the calling of the quorum, which I will next suggest, be equally charged to both sides.

The PRESIDING OFFICER. Without objection, that is the order.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, during the next hour or hour and 15 minutes or so, there will probably be consultations going on off the floor with reference to the budget.

In any event, I am told by the manager on this side—and it seems to be agreeable on the other side of the aisle also—that the Senate could very well stand in recess for 1 hour and 15 minutes. Rather than recess, I will therefore ask unanimous consent that I speak out of order for as much time as I may require on one of my series of statements with reference to the history of the U.S. Senate. This will be utilizing the time of the Senate rather than just spending it for a quorum or for a recess. And so, acting on the suggestion of the manager of the budget resolution, who has recommended that the Senate perhaps stay in recess until 2 o'clock, I ask unanimous consent that I may speak out of order and that I may utilize time equally charged against both sides. I have cleared this on the other side of the aisle as well.

The PRESIDING OFFICER. That will be the order, hearing no objection. The majority leader is recognized.

Mr. BYRD. I thank the Chair. Mr. President, recently I spoke on the subject of the treaty powers of the U.S. Senate under the Constitution.

Today I shall speak on the subject, "U.S. Senate Rejection of Treaties." This will be a brief survey of past instances in which treaties have been rejected by the Senate.

THE UNITED STATES SENATE

U.S. SENATE REJECTION OF TREATIES: A BRIEF SURVEY OF PAST INSTANCES

Mr. BYRD. Mr. President, under the Constitution, the Senate has a vital role in the making of treaties. Article II, section 2 (2) states that the President "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur."

Although they are negotiated by the executive branch, treaties may not enter into force and become binding on the United States without the advice and consent of the Senate. International agreements concluded

by the executive branch and not submitted to the Senate are classified in the United States as executive agreements, not as treaties, a distinction of domestic significance only. International law regards each mode of international agreement as binding, whatever its designation under domestic law.¹

When treaties are submitted to the Senate, the Senate has several options for action. The Senate, itself, does not ratify treaties. It may vote on whether or not to authorize ratification of the treaty and, depending on whether a two-thirds majority votes in favor or not, approve or reject the treaty as it has been submitted. It may make its approval conditional by including in the resolution of ratification amendments to the text of the treaty, reservations, understandings, interpretations, declarations, or other statements. This leaves to the President and the other countries involved decisions as to whether to accept the conditions and changes in the legislation, renegotiate the provisions, or abandon the treaty. Finally, the Senate may take no definitive action, leaving the treaty pending in the Senate until withdrawn at the request of the President or, occasionally, at the initiative of the Senate.

The purpose of my statement today is to identify past occasions when the Senate has exercised its role in the treaty-making process in such a way that treaties never entered into force. It distinguishes among instances in which treaties were (a) rejected in a Senate vote; (b) approved with conditions subsequently refused by the executive branch or other countries; and (c) never voted upon by the Senate.

In the case of most treaties submitted to the Senate, it has given its advice and consent to ratification and the ratification has subsequently been signed and deposited by the President. From 1789 through 1986, the Senate approved more than 1,500 treaties, approximately 90 percent of the treaties submitted to it.² Only 20 treaties have been rejected by a Senate vote because they failed to receive the required two-thirds majority (listed below in section A). Most often, the Senate has simply not voted on treaties that were

deemed by the leadership not to have sufficient support within the Senate for approval.

At this point, I call attention, as an example of what may happen, to the fact that there are two treaties presently on the Executive Calendar. The first is a treaty with the Union of Soviet Socialist Republics on the limitation of underground nuclear weapon tests, and the protocol thereto, commonly known as the Threshold Test Ban Treaty. The second treaty is a treaty with the Union of Soviet Socialist Republics on underground nuclear explosions for peaceful purposes, and the protocol thereto, commonly known as the Peaceful Nuclear Explosions Treaty.

Mr. President, those treaties were reported by the Senate Committee on Foreign Relations on February 27 of this year.

Before Reykjavik, last October, the President committed himself to the Congress to support these two treaties as a first order of business when the Congress convened anew this year as the 100th Congress. Before going to Reykjavik, the President requested the Congress to remove certain language that had been added to, I believe, a continuing resolution by the House, which he felt constituted restrictions that would bind his hands during the summit meeting with Mr. Gorbachev at Reykjavik.

That was a meeting, of course, which was not admitted to as being a summit meeting. In the President's own words, it was a base camp on the way to the summit—a summit that wasn't a summit. But any time the President of the United States sits down with the leader of the Soviet Union, that is a summit. Call it anything else, if you wish; it is a summit. It involves the top leaders in both countries.

So the President asked the Congress to remove those restrictions; and he made a commitment to the effect that if the Congress would remove those restrictions, which essentially would be binding on him, would tie his hands at Reykjavik—he then would support the approval of the ratification of these treaties by the Senate, with verification language added.

The Foreign Relations Committee added the verification language that the administration wanted with the treaties, but the President has not given his support to the Senate approval of the ratification of these treaties. I have urged him to do it. I have talked with him personally. I have written him a letter. To date, that letter has not been answered.

I took a copy of it to the White House and presented it personally to the President and was promised a response, and to this date I have not received a response.

My position is that if the President does not support these two treaties

that are on the Executive Calendar, if he does not support them in compliance with his own commitment and his own promise, I cannot hope to get a two-thirds vote on this floor, because we are not going to have the support of the other side of the aisle. If the President will not support the treaties, I cannot deliver a two-thirds of the Senate, I have only 54 votes here on this side, even if I am able to get them all.

So I need help from the other side of the aisle. I need help from the President. That is where the buck is supposed to stop, at his desk, and he has made the commitment, but he has not kept his promise.

It may very well turn out, Mr. President, that these two treaties that are on the Executive Calendar at this time will turn out to be two treaties that will not have been voted on because the leadership deemed that they would not have sufficient support within the Senate for approval.

I do not want to call up those two treaties and have them rejected because of failure to deliver a two-thirds vote for their approval.

As I say, most often the Senate has simply not voted on treaties that were deemed by the leadership not to have sufficient support in the Senate for approval.

In most cases these treaties have eventually been withdrawn. Of the many treaties approved by the Senate with amendments, reservations, understandings, or interpretations, 43 never entered into force because the reservations or amendments were not acceptable either to the President or to the other country or countries party to the treaty (listed below in section B).

The Senate may very well approve the ratification of a treaty; yet, the President may afterwards decide that he does not want to go forward with the ratification of that treaty. That would end the matter.

There have been at least 85 treaties that were eventually withdrawn because the Senate never took final action on them (listed below in section C). In addition, the Senate Foreign Relations Committee currently has 29 treaties on its calendar that have been pending for more than three years (listed below in section D).

When treaties are submitted to the Senate Foreign Relations Committee they may remain in the committee for years. Treaties are not required to be resubmitted at the beginning of each new Congress and there have been instances in which treaties have been submitted and have lain dormant within the committee for years, even decades without action being taken thereon.

¹ For a discussion of the issue of executive agreements, see *Treaties and Other International Agreements: The Role of the United States Senate: A Study prepared for the Committee on Foreign Relations, U.S. Senate, by Congressional Research Service, Library of Congress, Washington, G.P.O., 1984, 318 p.*

² Counts of treaties and treaty actions may vary because of differing methods and judgments, such as whether to count a protocol to a treaty as a separate treaty. From 1789 through March 31, 1979, according to the Department of State, the Senate approved 1,393 treaties. From 1979 through March 31, 1986, the Senate approved 131 treaties, based on the legislative activities reports of the Senate Foreign Relations Committee for the 96th, 97th, and 98th Congress and the Committee calendar for the 99th Congress. This totals 1,524 treaties approved by the Senate throughout its history.

TREATIES SUBMITTED TO THE SENATE PRIOR TO FEBRUARY 1, 1984, THAT HAVE NOT ENTERED INTO FORCE AS A RESULT OF THE SENATE'S ROLE

	Number	Percent *
Not finally acted on by the Senate	114	66
Treaty subsequently withdrawn	(85)	(50)
Treaty still pending in Senate	(29)	(16)
Failure of entry into force attributed to Senate modifications or attachments	43	24
Rejected by Senate vote ^a	20	10
Total that have not entered into force as a result of Senate's role	177	100

*Percent of all treaties that have not entered force because of Senate role.

^a Two treaties are included in both the rejected and the pending column. The Treaty of Versailles was rejected twice. Several defeated treaties were reconsidered, but none were ratified.

Senate action is not the only reason that various treaties signed by the United States have remained "unperfected treaties" and never entered into force. In some cases treaties have never been submitted to the Senate although they have been signed. In others, the ratification process has not been completed by the President, as I indicated a moment ago, even though the Senate has given its approval. In still other cases, treaties have not entered into force because of actions of other nations.

A. TREATIES REJECTED BY THE SENATE

Following is a brief description of the instances in which treaties were voted upon but failed to receive a two-thirds majority in the Senate.⁴ No attempt is made to analyze reasons for the defeats. It would usually be difficult to separate factors involving executive-legislative tension, personal, factional and partisan politics, and arguments on the merits of or philosophy embodied in the substance of the treaties.

Two treaties that were submitted to the Senate as unsigned drafts—a proposed loan agreement with Mexico in 1861 and a commercial reciprocity treaty with Canada submitted in 1874—are sometimes listed as having been rejected. In the first case the Senate adopted a resolution 28-8 that it was not advisable to negotiate the treaty. The second draft was defeated by voice vote. These are not included here because they are examples of prior consultation rather than of rejection of completed treaties.

It might also be noted that the two most recent treaties listed as rejected, the Optional Protocol for the 1958 Law of the Sea Convention (Ex. N, 86-1) and the Montreal Protocols relating to International Carriage by Air (Ex. B, 95-1) remain pending on the Senate Foreign Relations calendar. In both cases a motion to reconsider was entered but not taken up. In at least one recent instance, a treaty has been ap-

proved after being rejected and then reconsidered. The tax convention with the United Kingdom with protocols (Ex. K, 94-2; Ex. Q, 94-2; Ex. J, 95-1) was rejected by a vote of 49-32 on June 23, 1978, and a motion to reconsider agreed to. On June 27, 1978, the treaty was approved by a vote of 82-5.

1. Treaty with Colombia on suppression of the slave trade, December 10, 1824

This was the first international treaty absolutely rejected by the Senate. (A treaty with the Wabash and Illinois Indians had been rejected in 1794.) The treaty was taken up on the last day of the session, March 9, 1825. The primary article containing the substance regarding cooperation in suppressing the slave trade was put to a vote, and 28 were opposed and 12 in favor. When the treaty without the first article was voted upon, all forty votes were cast against.

2. Treaty with Switzerland on property rights, March 6, 1835

The treaty was submitted to the Senate on December 24, 1835, and rejected on June 11, 1836 by a vote of 23 to 14.

3. Annexation treaty with Texas, April 12, 1844

Submitted during an election year, the treaty providing for annexation of Texas by the United States became the subject of intense political debate. The treaty was reported without amendment from the Senate Foreign Relations Committee on May 10, 1844, and defeated in the Senate on June 8, 1844, by a vote of 35 opposed to 16 in favor. The results of the election later in the year were interpreted as popular support for the annexation of Texas, and this was accomplished at the next congressional session by joint resolution.

4. Commercial convention with Prussia, March 25, 1844

A convention for mutual reductions in trade duties. The treaty was laid on the table by a vote of 26 to 18 on June 15, 1844. It was reconsidered and tabled again on March 3, 1847.

5. Treaty of Transits and Commerce with Mexico, December 14, 1859

The treaty was transmitted to the Senate on January 10, 1860 and defeated on May 31, 1860 by a vote of 18 to 27. Although the Senate voted to reconsider the treaty on June 27, 1860, it took no further action.

6. Claims convention with Spain, March 5, 1860

A convention for settlement of claims based on injury to U.S. persons or property in Cuba also permitted Spain to present the claims of a Spanish ship, the *Amistad*, against the United States. The treaty was defeated on June 27, 1860, by a straight party vote of 17 opposed and 25 in favor.

7. Reciprocity treaty with Hawaii, May 21, 1867

A treaty providing for commercial reciprocity with Hawaii was submitted on July 13, 1867. It was first laid on the table by a vote of 30 to 21. Although this was equivalent to rejection, a second treaty extending the time limit, signed July 28, 1868, was submitted. The second treaty was defeated by a vote of 19 opposed and 20 in favor.

8. Claims convention with Great Britain, January 14, 1869

The treaty provided for the arbitration of all the claims of citizens of one country against the other. An adverse report was made by the Committee on Foreign Relations on February 18, 1869, and it was rejected by a vote of 54 to 1.

9. Annexation treaty with the Dominican Republic, November 29, 1869

Two treaties, one for annexation of the Dominican Republic and one for the lease of Samana Bay and peninsula, were sent to the Senate on January 10, 1870. The Committee on Foreign Relations reported the annexation treaty unfavorably. The vote of the Senate on June 30, 1870, was 28-28.

10. Treaty on claims against Mexico, July 13, 1882

A treaty to retry certain claims against Mexico was submitted to the Senate on July 26, 1882, and rejected first in January 1883, by a vote of 33 to 20. Immediately afterwards, a motion was made to reconsider the vote and the treaty was kept before the Senate and considered from time to time. On April 20, 1886, the treaty was again voted upon under the new administration of President Arthur and again rejected by a vote of 32 opposed to 26 in favor. Later Congress conferred jurisdiction over the cases on the Court of Claims.

11. Treaty to construct an interoceanic canal through Nicaragua, December 1, 1884

This treaty, providing for construction of an interoceanic canal through Nicaragua, was sent to the Senate on December 10, 1884. The Senate rejected the treaty by a vote of 32 to 23 on January 29, 1885, and returned the treaty to the President on March 13, 1885.

12. Extradition treaty with Great Britain, June 25, 1886

Although it was reported from the Foreign Relations Committee nine days after submission and debated in the Senate from time to time, the treaty was not made public until April 5, 1888. It was rejected by a vote of 15 in favor to 38 opposed.

13. Fisheries treaty with Great Britain, February 15, 1888

This treaty, providing for a settlement of a dispute relating to north-eastern fisheries, was the first to be considered in open executive session.

⁴ Basic list from Department of State. U.S. Congress, Senate, Committee on Foreign Relations. Hearings on Department of State appropriations, April 3, 4, and 30, 1973. Washington, U.S. Govt. Print. Of., 1973. p. 506.

(Previously, motions to have pending treaties considered in open session had been defeated.) The majority report of the Senate Foreign Relations Committee opposed the treaty while the minority report recommended it. On August 21, 1889, a motion to send the treaty back to the Committee with instructions for amendment was defeated, as were a proposed amendment and the treaty itself. The final vote was 30 against and 27 in favor, completely along party lines.

14. *Arbitration Treaty with Great Britain, January 11, 1897*

The treaty was submitted to the Senate the same day as signed. After adopting 16 amendments, the Senate voted 43 in favor and 26 opposed to the treaty. Thus it failed to obtain the required two-thirds majority.

15. *Treaty of Versailles, June 28, 1919*

Political and philosophical differences between the Democratic president and the Republican majority in the Senate were intermingled in the defeat of the Treaty of Versailles, which contained among other provisions the covenant of the League of Nations.

After the printed treaty was laid before the Senate Foreign Relations Committee, the Chairman, Senator Lodge, read the entire 264 page document aloud, taking two weeks. Six weeks of hearings were held, with more than sixty witnesses. The Chairman arranged a public conference between the committee and President Wilson at the White House on August 19, 1919. Feeling that the treaty was losing ground, President Wilson left Washington on September 3, 1919, for a speaking tour of the Nation on behalf of the treaty, but in the midst of it he was paralyzed on one side of his body by a stroke.

The report of the Senate Foreign Relations Committee proposed 45 amendments and 4 reservations. The amendments were all rejected by the Senate, largely because their acceptance would have required the reconvening of the Paris Peace Conference.

The Senate then added 14 reservations, called the Lodge reservations, by majority vote on each reservation. President Wilson wrote to his Democratic followers in the Senate to vote against the resolution of ratification with the Lodge reservations because he believed they provided for nullification rather than ratification of the treaty. When the treaty with the 14 reservations came to a vote on November 19, 1919, the vote was 39 in favor to 55 against. Those opposed included 13 "irreconcilable" Republicans and 42 Democrats who adhered to the President's wish that they vote against. Those in favor were 35 "reservationist" Republicans and 4 Democrats. A second vote was 41 in favor to 51 against, and a third vote to approve

the treaty, without any reservations, was defeated 38 in favor to 53 opposed.

At popular urging the treaty was voted on again on March 19, 1920, with fifteen reservations. Again, President Wilson wrote the Senate Democrats urging that the treaty with the reservations be rejected. This time the vote was 49 in favor to 35 opposed, a majority but not the required two-thirds. Those opposed were 12 "irreconcilable" Republicans and 23 Democrats adhering to Wilson's wish.

16. *Treaty on General Relations with Turkey, August 6, 1923*

This treaty was submitted to the Senate on May 3, 1924. The resolution of advice and consent, with reservations, failed to receive the necessary two-thirds majority in a vote of January 18, 1927, by a vote of 50 yeas and 34 nays.

17. *St. Lawrence Waterway Treaty with Canada, July 18, 1932*

The treaty was rejected by a vote of 46 yeas to 42 nays on March 14, 1934. Twenty years later on May 13, 1954, Congress approved the St. Lawrence Seaway in Public Law 358.

18. *Permanent Court of International Justice, September 14, 1929*

In January 1926, by a vote of 76 to 17, the Senate approved adherence to the World Court, with five reservations, by a vote of 76 to 17. The fifth reservation provided that the Court should never entertain a request for an advisory opinion on a dispute affecting the United States without the consent of the United States. The members of the World Court accepted all of the reservations except this one, and during the next nine years efforts were made to work out a compromise. President Hoover resubmitted the issue to the Senate in December 1930, under a formula which had been devised for reconciling differences. In 1935 many public groups called for favorable action, but others rallied opposition. The vote taken in the Senate on January 29, 1935, was 52 yeas and 36 nays, thus short of the required two-thirds.

19. *Optional protocol concerning the compulsory settlement of disputes (for the 1958 Law of the Sea Conventions)*

The Senate approved four Law of the Sea Conventions and the Optional Protocol of signature on May 26, 1960, by a vote of 77 to 4. However, a motion to reconsider the vote on the optional protocol was agreed to immediately afterwards and, upon reconsideration, was rejected by a vote of 49 to 30. The next day, May 27, 1960, Senator Mansfield entered a motion to reconsider the second vote on behalf of Senator Fulbright. The motion was not taken up and the protocol is still listed on the calendar of the Senate Foreign Relations Committee (Ex. N 86-1).

20. *Montreal Protocols to the Convention for the Unification of Certain Rules Relating to International Carriage by Air, September 25, 1975*

These amendments to the Warsaw Convention of 1929, to revise the rules for international air passengers, baggage, and cargo, were submitted to the Senate on January 14, 1977. The Foreign Relations Committee reported them favorably with conditions on December 16, 1981, but the Senate did not act upon them. The committee again reported them favorably with conditions on February 3, 1983. On March 8, 1983, the Senate rejected them by a vote of 50-42, with one voting present. A motion to reconsider was entered but not taken up, so the treaty remains pending on the calendar of the Senate Foreign Relations Committee (Ex. B, 95-1).

B. TREATIES THAT WERE APPROVED BY THE SENATE WITH RESERVATIONS BUT DID NOT ENTER INTO FORCE AS A RESULT OF THE RESERVATIONS

A second category is treaties that were not rejected by the Senate but were approved with reservations that were unacceptable either to the President or the other party so that the treaty never entered into force.

The State Department has listed more than 30 treaties in this category.⁵ The list follows. It might be noted that almost two hundred other treaties have entered into force with reservations or other qualifications attached by the Senate.

C. TREATIES WITHDRAWN IN THE ABSENCE OF FINAL SENATE ACTION

The largest group of treaties (86) that were submitted to the Senate but never entered into force are those on which the Senate never took final action. They were subsequently withdrawn. In 1973 the State Department identified 80 treaties in this category, not including those "which apparently would not have entered into force regardless of Senate action" and those that are still pending in the Senate.⁶ Some of these, and a few not included in that list, were withdrawn at the request of the Senate.⁷ Since 1973, six additional treaties have been withdrawn, according to the Foreign Relations Committee Calendar. All six were withdrawn in 1981.

⁵ The State Department included the first 38 treaties in the list published in the 1973 hearing cited above. The remaining five were compiled from the Senate Foreign Relations calendar and records of the Department of State. Additional treaties conditionally approved by the Senate and never entering into force may be found, but apparently the State Department does not attribute their non-entry into force to the Senate conditions.

⁶ 1973 hearing cited above, p. 507-509.

⁷ For a discussion of treaties returned to the President on the initiative of the Senate, see: U.S. Senate, Committee on Foreign Relations, The Role of the Senate in Treaty Ratification, Committee print, November 1977.

D. TREATIES PENDING IN SENATE FOREIGN RELATIONS COMMITTEE FOR THREE OR MORE YEARS

There are 19 treaties that have neither been finally rejected nor approved by the Senate, but have been pending in the Senate Foreign Relations Committee in a variety of stages for three or more years. One has been pending for more than 30 years. Some have been reported favorably by the Committee but not approved by the full Senate and returned to the Committee automatically under paragraph 2 of Rule XXX of the Standing Rules of the Senate. One has been favorably reported and is now pending on the Senate calendar.

I already discussed those earlier.

A Senate Foreign Relations Committee publication has noted that it is the Committee's practice to leave a treaty pending for a sufficient time to permit the public to study the treaty and let the Committee know its views. Moreover, the Committee's treaty calendar is not necessarily an accurate reflection of the workload "since some treaties are submitted by the executive branch for other foreign policy considerations; i.e., lip service to an international organization or foreign government?"⁸

The Genocide Convention (Ex. O. 81-1) had been pending for more than 36 years prior to receiving Senate approval, with reservations, on February 19, 1986. During that time the Foreign Relations Committee had favorably reported the treaty six times. In accordance with an understanding added by the Senate, completion of the ratification by the President is awaiting the enactment of implementing legislation.

Mr. President, I ask unanimous consent to include in the RECORD a listing of treaties that were approved by the Senate with reservations, but unacceptable either to the President or the other party, so that the treaty never entered into force.

There being no objection, the material ordered to be printed in the RECORD, as follows:

Subject	Country	Date signed
1. Boundary	Great Britain	May 12, 1803.
2. Suppression of slave trade	Great Britain	March 13, 1824.
3. Treaty of commerce	Texas	July 30, 1842.
4. Claims	Mexico	Nov. 20, 1843.
5. Commerce, extradition	Switzerland	Sept. 15, 1846.
6. Commerce	Persia (Iran)	Oct. 9, 1851.
7. Extradition	Belgium	Feb. 11, 1853.
8. Commerce	Nicaragua	June 20, 1855.
9. Extradition	Baden	Mar. 20, 1856.
10. Commerce	Chile	May 27, 1856.
11. Commerce	Venezuela	July 10, 1856.
12. Central America	Great Britain	Oct. 17, 1856.
13. Consuls	Chile	Dec. 1, 1856.
14. Extradition	Guatemala	Oct. 11, 1870.
15. Naturalization	Turkey (Ottoman Empire)	Aug. 11, 1874.
16. Commerce	Argentina	June 25, 1885.
17. Extradition	Mexico	Feb. 20, 1885.

⁸ U.S. Senate. Committee on Foreign Relations. 160th Anniversary, 1876-1976. Senate Document No. 94-265, August 30, 1976. Washington, U.S. Govt. Print. Off., 1976. p. 11.

Subject	Country	Date signed
18. Extradition	France	Mar. 25, 1892.
19. Ship canal	Great Britain	Feb. 5, 1900.
20. Newfoundland reciprocity	Great Britain	Nov. 8, 1902.
21. Extradition	Netherlands	Nov. 24, 1903.
22. Arbitration	France	Nov. 1, 1904.
23. Arbitration	Switzerland	Nov. 21, 1904.
24. Arbitration	Germany	Nov. 22, 1904.
25. Arbitration	Portugal	Nov. 23, 1904.
26. Arbitration	Great Britain	Dec. 12, 1904.
27. Arbitration	Italy	Dec. 14, 1904.
28. Arbitration	Spain	Dec. 31, 1904.
29. Arbitration	Austria-Hungary	Jan. 6, 1905.
30. Arbitration	Mexico	Jan. 18, 1905.
31. Arbitration	Sweden & Norway	Jan. 20, 1905.
32. Arbitration	Great Britain	Aug. 3, 1911.
33. Arbitration	France	Aug. 3, 1911.
34. Advancement of peace	Nicaragua	Dec. 17, 1913.
35. Advancement of peace	Argentina	July 24, 1914.
36. Extradition	Great Britain for Canada.	Jan. 15, 1917.

37. Income taxation	Thailand	Mar. 1, 1965.
38. Income taxation	Brazil	Mar. 13, 1967.
39. Income Taxation (Ex. D. 89-1, approved with reservation June 6, 1968, subsequently a different tax treaty was concluded.)	Philippines	July 29, 1965.
40. Income Taxation (Ex. C. 94-2, approved with understanding Nov. 18, 1981.)	Israel	Nov. 20, 1975.
41. Income Taxation (Ex. M. 96-2, protocol to Ex. C. 94-2, approved with understanding Nov. 18, 1981.)	Israel	May 30, 1980.
42. Income Taxation (Ex. Y. 96-2, approved with 2 understandings Nov. 18, 1981.)	Bangladesh	Oct. 6, 1980.
43. Income Taxation (Treaty Doc. 97-10, approved with 2 reservations and understanding, Dec. 16, 1981.)	Argentina	May 7, 1981.

Mr. BYRD. Mr. President, I ask unanimous consent to have appear in the RECORD as a part of my remarks a list of treaties that were submitted to the Senate but never entered into force in the absence of final Senate action.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Subject	Country	Date signed
1. Property	Hesse-Cassel	May 2, 1846
2. Extradition	Nicaragua	Sept. 3, 1849
3. Extradition	Mexico	July 20, 1850
4. Property rights	Belgium	Aug. 25, 1852
5. Copyright	Great Britain	Feb. 17, 1853
6. Reciprocity	Hawaii	July 20, 1855
7. Extradition	Netherlands	May 29, 1856
8. St. Thomas & St. John.	Denmark	Oct. 24, 1867
9. Water boundary	Great Britain	Jan. 14, 1869
10. Claims	Mexico	Oct. 23, 1869
11. Samana Bay	Dominican Republic	Nov. 29, 1869
12. Ship canal	Colombia	Jan. 26, 1870
13. Naval station	Samoa	Feb. 17, 1872
14. Commerce	Johanna (one of Commoro islands)	Oct. 23, 1879
15. Alaska boundary	Great Britain	Jan. 30, 1897
16. Annexation	Hawaii	June 16, 1897
17. Commerce	Great Britain	June 16, 1899
18. Commerce (Barbados)	Argentina	July 10, 1899
19. Commerce (British Guiana)	Great Britain	July 18, 1899
20. Commerce (Turks and Caicos Islands)	Great Britain	July 21, 1899
21. Commerce (Jamaica)	Great Britain	July 22, 1899
22. Commerce (Bermuda)	Great Britain	July 24, 1899
23. Commerce	France	July 24, 1899
24. Commerce	Dominican Republic	June 25, 1900
25. Codes of international law	Multilateral	Jan. 27, 1902
26. Practice of Learned Professions	Multilateral	Jan. 27, 1902
27. Commerce (Newfoundland)	Great Britain	Nov. 8, 1902
28. Reciprocity (Puerto Rico)	France	Jan. 31, 1903
29. Isle of Pines	Cuba	July 2, 1903
30. Collection of revenues	Dominican Republic	Feb. 7, 1905
31. Patents	Multilateral	Aug. 23, 1906
32. Copyright	Multilateral	Nov. 13, 1908
33. Liability of vessels in collision	Multilateral	Sept. 23, 1910
34. Loan	Honduras	Jan. 10, 1911
35. Loan	Nicaragua	June 6, 1911

Subject	Country	Date signed
36. Inter-oceanic canal	Nicaragua	Feb. 8, 1913
37. Advancement of peace	Panama	Sept. 20, 1913
38. Protection of nature	Multilateral	Nov. 19, 1913
39. Advancement of peace	Dominican Republic	Feb. 17, 1914
40. Guarantee	Great Britain, France	June 28, 1919
41. Occupation of Rhine	Multilateral	June 28, 1919
42. Minorities in Poland	Multilateral	July 3, 1919
43. International air	Multilateral	Oct. 13, 1919
44. Gold clearance	Paraguay	Nov. 7, 1919
45. Gold clearance	Guatemala	Dec. 4, 1919
46. Gold clearance	Panama	Jan. 10, 1920
47. Gold clearance	Haiti	Jan. 14, 1920
48. Gold clearance	Ecuador	May 25, 1920
49. Inter-oceanic canal	Costa Rica	Feb. 1, 1923
50. General Relations	Turkey	Aug. 6, 1923
51. Obscene publications	Multilateral	Sept. 12, 1923
52. International copyright	Multilateral	June 2, 1928
53. Niagara Falls	Canada	Jan. 2, 1929
54. Suppression of traffic in women.	Multilateral	Oct. 11, 1933
55. Sanitary regulations concerning plant and animal life	Argentina	May 24, 1935
56. Radio communications	Panama	Mar. 2, 1936
57. Sickness insurance for seamen.	Multilateral	Oct. 24, 1936
58. Reduction of hours in textile industry.	Multilateral	June 22, 1937
59. Statistics of wages and hours of work.	Multilateral	June 20, 1938
60. Sanitary	Multilateral	Oct. 31, 1938
61. Taxation	Great Britain	Oct. 17, 1941
62. Niagara River waters	Canada	May 3, 1944
63. Petroleum	United Kingdom	Sept. 24, 1945
64. Extradition	Canada	Oct. 5, 1945
65. Great Lakes Fisheries	Canada	Apr. 2, 1946
66. Inter-American copyright	Multilateral	June 22, 1946
67. ILO Convention No. 7 on social security.	Multilateral	June 28, 1946
68. ILO Convention No. 71 on seafarers' pensions.	Multilateral	June 28, 1946
69. ILO Convention No. 75 on crew accommodations on board ship.	Multilateral	June 29, 1946
70. Wheat	Multilateral	May 1, 1948
71. ILO Convention No. 88 on employment service.	Multilateral	July 9, 1948
72. ILO Convention No. 91 on vacation holidays with pay.	Multilateral	June 18, 1949
73. ILO Convention No. 92 on crew accommodations.	Multilateral	June 18, 1949
74. ILO Convention No. 93 on wages, hours of work on board ship and manning.	Multilateral	July 2, 1949
75. Commerce	Haiti	Mar. 3, 1955
76. International transportation	Multilateral	Sept. 28, 1955
77. ILO convention No. 109 on wages, hours of work and manning (Revised 1958).	Multilateral	May 14, 1958
78. Income tax	India	Nov. 10, 1959
79. Income tax	Israel	Sept. 30, 1960
80. Income tax	United Arab Republic	Dec. 21, 1960
81. East Coast Fisheries	Canada (Ex. V. 96-1)	Mar. 29, 1979
82. Income taxation	Thailand (Ex. E. 89-1)	Mar. 1, 1981
83. Income taxation	Israel (Ex. F. 89-1)	June 29, 1965
84. Income taxation	Egypt (Ex. D. 94-2)	Nov. 20, 1975
85. Income taxation	Cyprus (Ex. I. 96-1)	May 16, 1980
86. Income taxation	British Virgin Islands	Feb. 18, 1981

Mr. BYRD. Mr. President, I ask unanimous consent to include in the RECORD as part of my remarks a listing of the treaties on the Senate Foreign Relations Committee Calendar that have been pending since before February 1, 1984.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Following are the treaties of the Senate Foreign Relations Committee calendar that have been pending since before February 1, 1984.⁹

⁹ Senate Foreign Relations Committee Calendar, Dec. 31, 1986. Treaties submitted in the 98th Congress after Feb. 1, 1984, are not included.

1. Ex. S, 81-1. Convention on Freedom of Association and Protection of the Right to Organize. Submitted August 27, 1949. No action.

2. Ex. N, 86-1. Optional Protocol Concerning the Compulsory Settlement of Disputes (Law of the Sea). Submitted September 9, 1959.

Since this was voted upon by the Senate and failed to receive a two-thirds majority on May 26, 1960, it has been included in section A, Treaties rejected by the Senate. However, since a motion to reconsider was entered but not completed, it is still pending on the Senate Foreign Relations Calendar.

3. Ex. C, 87-2. ILO Convention No. 116 Concerning the Partial Revision of Conventions for the Purpose of Standardizing Provisions Regarding the Preparation of Reports by the Governing Body. Adopted by ILO June 26, 1961. Submitted to the Senate June 1, 1962.

Public hearing April 27, 1967; considered in executive session, May 2, 1967.

4. Ex. K, 88-1. ILO Convention No. 105 Concerning Abolition of Forced Labor. Adopted by ILO June 25, 1957. Submitted to the Senate, July 22, 1963.

Public hearing Sept. 13, 1967; tabled by Committee, 13-4, October 11, 1967.

5. Ex. G, 89-2. ILO Convention No. 122 Concerning Employment Policy. Adopted by International Labor Conference, July 9, 1964. Submitted June 2, 1966.

A public hearing was held on April 27, 1967, and the convention was considered in executive session, May 2, 1967.

6. Ex. G, 91-2. International Convention on Civil Liability for Oil Pollution Damage. Adopted by Inter-Governmental Maritime Consultative Organization, October 21, 1967. Submitted May 20, 1970.

While two related conventions were approved by the Senate on September 20, 1971, the Foreign Relations Committee recommended that final action await the outcome of negotiations on an International Compensation Fund Convention. The committee had questions concerning the adequacy of the liability limits. General debate was held on October 5, 1972. (See also Ex. K, 92-2)

7. Ex. L, 92-1. Vienna Convention on the Law of Treaties. Signed April 24, 1970. Submitted Nov. 22, 1971.

The Senate Foreign Relations Committee ordered the convention reported with an understanding and interpretation on September 7, 1972, but reconsidered it in executive session on September 19, 1972. It was considered again in executive session in 1973 and 1974.

8. Ex. K, 92-2. (1) Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage and (2) Amendments to the 1954 Prevention of Pollution of the Sea by Oil Convention. Signed December 18, 1971. Submitted May 5, 1972.

Referred to Subcommittee on Oceans and International Environment in 1973 and public hearings held. No further action.

9. Ex. H, 94-1. Trademark Registration Treaty. Signed June 12, 1973. Submitted September 3, 1975.

No further action.

10. Ex. N, 94-2. Treaties with the Soviet Union on the Limitation of Underground Nuclear Weapons Tests and Protocol and on Underground Nuclear Explosions for Peaceful Purposes and Protocol. Signed July 3, 1974, and May 28, 1976. Submitted July 29, 1976.

Public hearings were held during 1977 and on September 20, 1977, the Senate Foreign

Relations Committee ordered the treaties favorably reported. A procedural discussion was held on September 28, 1977, and on June 13, 1978, the Committee reconsidered the vote to report the measure; a report was not filed at that time. After public and executive hearings on January 13 and 15, 1987, the committee favorably reported the treaties with a reservation and declaration on February 22, 1987. On January 21, 1987, and amendment was submitted to amend the treaties with the SALT II Treaty (see below Ex. Y, 96-1.)

11. Ex. B, 95-1. Montreal Protocols to Amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air. Signed September 25, 1975. Submitted January 14, 1977.

Since this was voted upon by the Senate and failed to receive a two-thirds majority on March 8, 1983, it has been included in Section A, Treaties rejected by the Senate. However, since a motion to reconsider was entered but not completed, it is still pending on the Senate Foreign Relations Calendar.

12. Ex. E, 95-1. International Convention for the Prevention of Pollution from Ships. Signed November 2, 1973, with two annexes and two related protocols. Submitted March 22, 1977.

No further action. Ex. C, 96-1, Protocol of 1978 relating to Convention, was approved July 2, 1980.

13. Ex. C, 95-2. International Convention on the Elimination of All Forms of Racial Discrimination. Signed September 23, 1966. Submitted February 23, 1978.

Public hearing held on November 14, 15, 16, and 19, 1979. No further action.

14. Ex. D, 95-2. International Covenant on Economic, Social and Cultural Rights. Signed October 5, 1977. Submitted February 23, 1978.

Public hearings held November 14, 15, 16, and 19, 1979. No further action.

15. Ex. E, 95-2. International Covenant on Civil and Political Rights. Signed October 5, 1977. Submitted February 23, 1978.

Public hearings held November 14, 15, 16, and 19, 1979. No further action.

16. Ex. F, 95-2. American Convention on Human Rights. Signed June 1, 1977. Submitted February 23, 1978.

Public hearings held November 14, 15, 16, and 19, 1979. No further action.

17. Ex. F, 96-1. Treaty on Maritime Boundaries with Mexico. Signed May 4, 1978. Submitted January 23, 1979.

The Foreign Relations Committee reported the treaty by a vote of 15-0 on July 24, 1980, and the Senate debated it on September 10, 16, and 17, 1980, but took no final action.

18. Ex. H, 96-1. Maritime Boundary Agreement with Cuba. Signed December 16, 1977. Submitted January 23, 1979.

The Foreign Relations Committee reported the treaty by a vote of 15-0 on June 30, 1980. The Senate debated it on September 10, 16, and 17, 1980, and returned it to the executive calendar by a vote of 55-37.

19. Ex. Y, 96-1. Treaty with Soviet Union on Limitation of Strategic Offensive Arms and Protocol, together referred to as SALT II Treaty. Signed June 18, 1979. Submitted June 25, 1979.

The Foreign Relations Committee reported the treaty with two reservations, two declarations, and sixteen understandings by a vote of 9-6 and with majority and minority views on November 19, 1979. After the Soviet invasion of Afghanistan in December 1979, President Carter asked the Senate to delay consideration. On January 22, 1980,

the Senate tabled (shelved) by a vote of 50-36 an amendment to S. Res. 331 to request the President to withdraw the treaty.

The Treaty was considered by the Committee on June 25 and 26, 1986. On July 15, 1986, S. Exec. Res. 445 was submitted to discharge committee; no action taken. The treaty remains pending with proposed amendments.

20. Ex. EE, 96-1. International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, with Annex, 1978. Signed July 7, 1978. Submitted September 5, 1979.

Process-Verbal of Rectification transmitted from the Department of State in 1980 and 1982. No further action.

21. Ex. Q, 96-2. Income Tax Convention with Denmark. Signed June 17, 1980. Submitted September 4, 1980.

The Foreign Relations Committee reported the convention May 21, 1984, but the Senate did not take action, and it was automatically referred to the Committee. The Committee again reported the convention December 11, 1985, but the Senate did not take action.

22. Ex. R, 96-2. Convention on the Elimination of All Forms of Discrimination against Women. Signed July 17, 1980. Submitted November 12, 1980.

No further action.

23. Ex. V, 96-2. Convention on the Recognition of Studies, Diplomas and Degrees Concerning Higher Education in the States Belonging to the Europe Region. Signed December 21, 1979. Submitted November 13, 1980.

No further action.

24. Ex. W, 96-2. Protocol Amending 1916 Convention for the Protection of Migratory Birds in Canada and the United States. Signed January 30, 1979. Submitted November 24, 1980.

No further action.

25. Treaty Doc. 97-14. Amendment to Regulation 49(4)(b) of Annex II of the 1966 International Convention on Loan Lines. Signed November 15, 1979. Submitted July 27, 1981.

No further action.

26. Treaty Doc. 97-15. Supplementary Extradition Convention with Sweden. Signed May 27, 1981. Submitted July 28, 1981.

Withdrawal considered July 30, 1985.

27. Treaty Doc. 98-10. Amendment to 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora. Adopted April 30, 1983. Submitted October 4, 1983.

Public hearing held March 18, 1986, and considered April 10, 1986.

28. Treaty Doc. 98-12. Amendment to 1980 Income Tax Convention with Denmark. Signed August 23, 1983. Submitted November 17, 1983.

Reported May 21, 1984, and automatically referred after Senate took no action. Reported again December 11, 1985, and again automatically referred after Senate took no action.

29. Treaty Doc. 98-14. Consular Convention with South Africa. Signed October 28, 1982. Submitted January 30, 1984.

No further action.

Mr. BYRD. Mr. President, I ask unanimous consent to include in the RECORD, selected references on Senate rejection of treaties.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE REJECTION OF TREATIES: SELECTED REFERENCES

Bestor, Arthur. Respective roles of Senate and President in making and abrogation of treaties—the original intent of the framers of the Constitution historically examined. Washington law review, v. 55, no. 1, 1979-80: 4-135.

Butler, Charles H. The treaty-making power of the United States. New York, Banks Law Publishing Company, 1902. 2 v.

Byrd, Elbert M., Jr. Treaties and executive agreements in the United States: their separate roles and limitations. The Hague, Martinus Nijhoff, 1960. 276 p.

Colegrove, Kenneth W. The American Senate and world peace. New York, Vanguard Press, 1944. 209 p.

Crandall, Samuel B. Treaties: their making and enforcement. 2d ed. Washington, D.C., J. Byrne, 1916. 663 p.

Dangerfield, Royden J. In defense of the Senate: a study in treaty making. Port Washington, New York, Kennikat Press, 1966. (Reprint of book published at Norman, University of Oklahoma Press, 1933) 365 p.

Fleming, Denna Frank. The treaty veto of the American Senate. New York, G. P. Putnam's Sons, 1930. 325 p.

Gallagher, Hugh G. Advise and obstruct: the role of the United States Senate in foreign policy decisions. New York, Delacorte Press, 1969. 338 p.

Gilbert, Amy M. Executive agreements and treaties, 1946-73: framework of the foreign policy of the period. Endicott, N.Y., Thomas-Newell, 1973. 213 p.

Hayden, Ralson. The Senate and treaties, 1789-1817. New York, Macmillan, 1920. 237 p.

Holt, William S. Treaties defeated by the Senate: a study of the struggle between President and Senate over the conduct of foreign relations. Gloucester, Massachusetts, P. Smith, 1964. (Reprint of book published at Johns Hopkins Press, 1933) 328 p.

Jewell, Malcolm E. Senatorial politics and foreign policy. Lexington, University of Kentucky Press, 1962. 314 p.

Paige, Joseph. The law nobody knows: enlargement of the Constitution—treaties and executive agreements. New York, Vantage Press, 1977. 209 p.

U.S. Library of Congress. Congressional Research Service. Treaties and other international agreements: The role of the United States Senate: a study prepared for the Committee on Foreign Relations, U.S. Senate. Washington, G.P.O., 1984. 318 p. (98th Congress, 2nd session, committee print S. Prt. 98-205)

U.S. Congress. Senate. Committee on Foreign Relations. Legislative activities report of the Committee on Foreign Relations, United States Senate. Washington, U.S. Govt. Print. Off., 1985. 110 p. (99th Congress, 1st sess. Senate. Report no. 99-10) See also earlier reports published after each Congress.

U.S. Congress. Senate. Committee on Foreign Relations. Legislative Calendar, (Cumulative Record). Ninety-ninth Congress. Final edition, December 31, 1986. 185 p. See also earlier calendars published during each session.

U.S. Congress. Senate. Committee on Foreign Relations. The role of the Senate in treaty ratification. Washington, U.S. Govt. Print. Off., 1977. 78 p.

U.S. Congress. Senate. Committee on Foreign Relations. 160th Anniversary, 1816-1976. Washington, U.S. Govt. Print. Off., 1976. 74 p.

RECESS UNTIL 2 P.M.

Mr. BYRD. Mr. President, in compliance with the request of the chairman of the Budget Committee, Mr. CHILES, which request I understand is agreeable to the other side of the aisle, I ask unanimous consent that the Senate stand in recess, with the time being charged equally against both sides, until the hour of 2 p.m. today.

The PRESIDING OFFICER (Mr. WIRTH). Without objection, it is so ordered.

Thereupon, at 1:27 p.m., the Senate recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. CONRAD).

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I suggest the absence of a quorum and I ask that the time be equally charged.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. QUAYLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

Mr. QUAYLE. Mr. President, a parliamentary inquiry. Is it appropriate at this time to yield to the Senator from Indiana such time as he may consume to talk about the budget?

The PRESIDING OFFICER. Without objection, the time that the Senator consumes will be taken from the Senator's side of the aisle. The Senator is recognized.

Mr. QUAYLE. I thank the Chair.

Mr. President, I rise to make some observations about the budget and particularly about the defense budget. Many times on this floor these last couple of days there has been mention about the total inadequacy of the defense budget that has been presented.

I think there is no doubt about it that if, in fact, not only would we adopt this defense budget as presented, but if we would furthermore enact it through the authorization process and the appropriations process, that it would really be an unmitigated disaster for national defense. It would be a disaster and a signal that we would be sending to the rest of the world about our seriousness in meeting our responsibilities around the world.

Anyone who has looked at this budget in its totality knows full well that there is simply no way without some very profound changes that we can meet our responsibilities in the area of national deterrence.

What this budget has put forth is the idea that in nominal terms, by raising the outlay level from last year to this year by about \$4 billion, that, therefore, we have enough flexibility

and growth in that outlay figure to meet any additional requirements and to essentially pay for current services.

Mr. President, that is utter nonsense. It is not true. It is not the case.

If you look at that \$4 billion growth from last year, I can show you that in basic procurement accounts alone, in contracts that the Department of Defense has already executed, you are going to increase the outlays by about \$3.1 billion.

Sitting on the Senate Armed Services Committee and listening to and being a member of the Budget Committee, no one put forth any recommendation that there are certain programs that are going to be eliminated, that there are contracts that are going to be terminated. Therefore, you have to assume that contracts will be, in fact, executed.

The contracts are a little bit different in the real world rather than the contracts that sometimes the Congress enters into with the executive branch. We enter into a contract, so to speak, with budget resolutions and things of that sort. Those are political documents. Political documents change, politics change, and I think there is a certain expectancy that things are going to change.

But in the real world a contract is a contract and you have to meet those commitments. If you do not, there are legal liabilities in the area of penalties that will be accorded to those who simply do not live up to the contracts.

Therefore, if you just take our basic contractual obligations that we have of that \$4 billion, you are looking at about \$3.1 billion. Therefore, instead of the \$4 billion latitude that is professed by those who advocate the support of this budget, you are really down to about \$900 million in outlays.

Well, what are you going to buy with \$900 million in outlays? Here is what you have to do. Last year the Congress, when it came up against trying to put together a defense budget and an appropriations bill, slipped the pay 1 day. By slipping the pay 1 day we saved \$2 billion in fiscal year 1987 but it is going to cost about \$2.9 billion in fiscal year 1988. In other words, for any kind of changes we made back then, we are going to have to pay for them in this year—and we are certainly going to pay. You have to. The pay is already in effect and it is about an additional \$2.9 billion.

On top of that, to make the pay raise, concur with the calendar year in which the military and civilian personnel are paid it will cost another \$600 million. You add that to the \$2.9 and you are way beyond the \$900 million.

The fiscal year 1988 pay raise will cost about \$1.4 billion. The new Federal employee retirement system under the Department of Defense will cost about \$2.3 billion. Therefore, you al-

ready have a total increase of about \$7.2 billion and you have \$900 million with which to work. It simply does not add up.

Now, I suppose that we could in fact try to put some nuance into this and say for purposes to be determined this budget in defense meets these obligations. This is sort of what we did when we dealt with the Gramm-Rudman statutory requirements. That may in fact be something you could put on paper but in effect, Mr. President, what you are going to have to do, whether Senators want to do it or not, is to increase the 050 function for national defense. I do not think there is any doubt, whether it is in the budget process or the authorization process, which we will get to later on this month or next month, whenever the DOD bill comes to the floor, or whether it is in the appropriation process, the continuing resolution process, that what we have before us today is not only inadequate but it is simply misleading to say we in fact can get along with that small amount of contribution to national defense.

I have already pointed out that you have basically \$900 million in the budget to buy about 7.2 billion dollars' worth of pay and retirement programs. That does not even go into some of the congressional add-ons that will come before us. Congress complains all the time about the increase in defense spending, but then when it comes to reducing defense spending except for sort of a meat ax-type of approach with this type of budget resolution process, when you get down to line items the Congress does not subtract, it adds. It adds on to the budget.

As a matter of fact, I would imagine, if history is any kind of gauge of what we will do this year, we will add on several billion dollars in programs that the Department of Defense did not request. We have done that the past 3 years. We have done it ever since I have been in the Senate—as a matter of fact, in the Congress. In 1985 we added about 2.1 billion dollars' worth of new programs. These are congressionally mandated programs, Mr. President. This is over and above the President's request.

In 1986 we added \$3.9 billion. In fiscal year 1986 it was bigger than 1985. In 1987 we struck a halfway mark between the last 3 years, about \$2.7 billion, and I would imagine that that would probably be the area where we would come in this year. So we will get into the add-ons of Congress at around \$2 billion to \$3 billion.

Now you are up to about \$10 billion to pay for congressional programs and you have about \$900 million. Again, it is simply not going to work. The mathematics do not add up. And at some time along the way, we are simply going to have to change.

Mr. President, in the past it has been very interesting how we have made a commitment to what we were going to spend in the area of national defense, but for some reason have never been able to quite live up to it.

We pass budget resolutions and then once it gets through the authorization-appropriation process we simply do not meet what that budget says. I would predict this time we are going to change the trend because if in fact we pass this budget resolution instead of coming up short at some time, we are going to have to add to it. It is just that simple. I think that that in fact will happen. But that is why I think a lot of people are reluctant to say, "Well, he will go ahead and increase the defense spending right now," knowing full well if you agree to it now, later on in the process we are going to get nicked. And I am beginning to fall in that category because of past experience.

The budget process, particularly as it has dealt with defense, has almost become irrelevant. It is a process that has been in fact skewed against defense spending and increased nondefense spending and making sure that all the tax increases are implemented.

Mr. LEAHY, Mr. President, I rise today in support of the Senate budget resolution. While I do not agree with every provision of this measure, especially its questionable economic assumptions, the Senate is compelled to approve a budget which provides for a strong national defense, supports our efforts to make this country more competitive and provides essential services to those in need. The alternative, Mr. President, is the mechanistic, across-the-board cuts called for by the Gramm-Rudman-Hollings law. To take that approach would be an abdication of the Senate's responsibility to make tough choices and be held accountable for them.

This budget reduces the deficit without triggering these automatic cuts. It reduces the deficit sensibly. As an early supporter of Gramm-Rudman-Hollings, I said the new law should force Congress to make tough choices to reduce the deficit—the tough choices required to prevent the computers from doing what Congress could not.

Mr. President, one issue, however, looms large in my mind. And that is the issue of the economic assumptions used in the budget resolution. The budget before us combines the economic forecasts of the Office of Management and Budget [OMB] and those of the Congressional Budget Office [CBO]. This highly unusual procedure was used for one purpose and one purpose only: to ensure that by whatever means necessary this budget technically meets deficit targets created by the Gramm-Rudman-Hollings law.

Yesterday, I voted to overturn the ruling which sanctioned this funny numbers approach to reducing the deficit. My vote was a vote for truth in budgeting. It was a vote against combining the independent and widely accepted economic projections of CBO, with the politically motivated numbers coming from OMB.

For the last 5 years, OMB has used a combination of phony budget cuts and unrealistic economic assumptions to give the impression that the President's budget reduced the deficit by more than it actually did. Congress should not play this game. It diminishes our credibility of Congress and calls into question the commitment we made to the American people to reduce the deficit through the Gramm-Rudman-Hollings discipline.

With that reservation, Mr. President, I shall cast my vote for this budget. This measure will accomplish a great deal. The budget protects education, health, and science programs from inflation. In addition, \$300 million is added to safeguard our environment by allowing the EPA to increase Superfund enforcement efforts. The budget also beefs up the FBI's ability to counter Soviet espionage and strengthens the hand of our law enforcement agencies in fighting the war on drugs.

Mr. President, the budget includes a proposal similar to one I sponsored last year to reduce waste at the Department of Defense. Our amendment to the continuing resolution would have closed the floodgates to the Pentagon's \$44 billion inflation padding slush fund. Over the last 5 years, the Department of Defense has amassed this enormous sum by overestimating inflation costs in major weapons systems and other large accounts. Our amendment would have identified and put an end to this unacceptable waste.

Our amendment failed by one vote. I intend to offer a new, stronger version of this effort to cut Government waste later this year. Our amendment will help enact into law the savings called for in the budget resolution.

Mr. President, the Senate budget resolution maintains the momentum created by the Gramm-Rudman-Hollings law to reduce the Federal deficit. This budget is projected to cut the deficit by \$37 billion next year, according to CBO's independent analyses. I would have liked to have seen even greater deficit reduction. But, the Senate is left with little choice. We can vote for this budget or we can vote for a sequester which will slash defense spending and force the elimination of vital programs. We can vote for this budget or we can vote for deception—for the funny numbers from OMB.

I urge the speedy adoption of the budget resolution.

Mr. DIXON. Mr. President, although I plan on voting for the Chiles' amendment in this preliminary vote, I want my colleagues to know that I have extremely serious concerns and reservations about the Budget Committee's recommendations in its current form.

I support this amendment so that the Senate can proceed with the budget process, but my vote is in the affirmative only because we must have some starting point for debate and further needed compromises. In fact, if there were to be no substantial change, and if there continues to be no constructive participation from the President and my Republican colleagues here in the Senate, I am most sure that I would be able to support this resolution on a final passage vote.

I have a number of problems with the current proposal. I am quite alarmed, for instance, that this budget, while making substantial cuts in essential defense, education, and social programs, still fails to achieve the Gramm-Rudman-Hollings deficit reduction target prescribed by law when evaluated under the Congressional Budget Office projections. Instead of reducing the deficit for fiscal year 1988 to \$108 billion, as required by that act, this budget, if enacted, would actually result in a deficit of at least \$133 billion.

As we all know, last year we missed the Gramm-Rudman-Hollings target by approximately \$30 billion. Because of that fact, it may be unrealistic—and actually harmful to the economy—to cut over \$65 billion from the deficit this year, instead of the \$36 billion annual cut assumed by Gramm-Rudman-Hollings.

However, if we are not going to be able to meet the \$108 billion target, we should face the problem honestly and say so by stretching out the targets. If, on the other hand, we can meet the target, then we should do so. What we clearly should not do, though, is go through another year of number charades—it is long past time to put away the budgetary blue smoke and mirrors.

Unfortunately, the overly optimistic economic assumptions are not the only thing wrong with this resolution. Frankly, as a member of the Senate Armed Services Committee, I have to say that I find the defense spending levels proposed by this resolution—the defense freeze—to be a totally inadequate response to meeting our defense needs. I am particularly disturbed because a disproportionate share of the defense reductions will inevitably come from our readiness and training accounts, something we can simply not afford.

I am also disturbed by the Republicans' position so far in the budgetary process. The President's budget is nothing more than a sham. It inflicts drastic cuts in social programs, but it

leaves us with a fiscal year 1988 deficit of at least \$134 billion, not \$108 billion as it proclaimed. Even this reduction from the current year's \$173 billion deficit depends on phony actions like selling Government loans.

Neither the President nor my friends in the minority have demonstrated much interest in developing a bipartisan budget package so far. The Democrats may be able to pass a budget resolution without Republican support. However, the implementation of that budget in spending bills, and perhaps revenue bills, later in this session will require agreement from the President and bipartisan cooperation here in Congress. The time is now to negotiate which programs are indeed our priorities, and how these priorities will be funded.

Finally, there is the question of revenues. The proposal now before us calls for \$18 billion in new revenues. The President is opposed.

As my colleagues know, there is no way we could enact a tax increase over the President's veto. Education and other domestic programs, however, have taken the brunt of the deficit reduction efforts so far; \$173 billion deficits cannot be eliminated solely by further reducing domestic discretionary spending.

If the truth be told, there is a good case for increasing some programs to meet important national needs. Yet, our current budget situation makes it difficult, if not impossible, to fund these well-justifiable increases. Let it not be forgotten that there is a strong bipartisan consensus opposed to trying to balance the budget by only cutting domestic programs. That will not fly, and everyone here knows that will not fly.

We seem to be faced with total gridlock, Mr. President, and I'm not sure that I see the way out. I do know, however, that the Budget Committee's recommendations are not the solution; they simply do not work. They fail to address the target question in a responsible way; they lead to serious defense inadequacies; and they are based on new revenues that the President's opposition guarantees we will not achieve.

We are already behind schedule, but I feel it is better to take a little more time now to try to achieve a consensus on a realistic budget, than to pass this budget at present, and come to the end of September in total budgetary chaos.

To avoid that chaos, we must work together to address and resolve the real pressing questions. We must move ahead to formulate a bipartisan budget resolution that a strong majority can in good conscience support. The adoption of the Chiles amendment creates the procedural opportunity for us to achieve that consensus. I

hope that opportunity will not be wasted.

Mr. BAUCUS. Mr. President, I am in favor of honest budgeting. And this means using the best available figures in the budget process.

Today, I am reluctantly supporting an amendment to reestimate the budget plan approved by the Senate Budget Committee using the President's economic assumptions. These estimates would be used solely for the purposes of determining whether the budget resolution that we are about to consider meets the deficit reduction levels established by the Gramm-Rudman-Hollings Act.

I share the concerns of the distinguished chairman of the Budget Committee about the accuracy and appropriateness of using the administration's economic assumptions.

However, I also believe that the Senate must fulfill its responsibilities to the American people to make steady, credible progress toward reducing the staggering Federal deficit that we face today.

It's time to get on with those decisions. If we do not, we could easily find ourselves in a stalemate of endless debate and no action on reducing the deficit. And the price of indecision is the very real possibility of senseless across-the-board cuts where everybody loses and national priorities are neglected.

Few actions of Congress are more important than the decisions made each year on the Federal budget. Today's vote makes it possible for us to get on with this important work.

I hope that the Senate will now turn to making needed changes in the plan that the Budget Committee has presented to the Senate. In particular, I believe that a budget for the Nation should be fair to all regions of our country. And I intend to support efforts to strike a more appropriate balance in funding for programs that are essential to the Western and Rocky Mountain States.

No budget plan is perfect. And no process for reaching decisions on the budget will ever be perfect. But that doesn't mean that we should abandon our commitments to the American people by failing to reach agreement on a responsible budget.

Mr. BINGAMAN. Mr. President, I plan to vote for the adoption of Senate Concurrent Resolution 48, the concurrent resolution on the budget, at this time although I do have some very serious reservations about particular provisions and I anticipate supporting certain perfecting amendments. The starting point for this debate has to be the adoption of some budget resolution and to consider this resolution to be that starting point. In particular I am concerned with the low level of defense spending, the un-

specified sources of proposed increases in revenues, and certain program cuts and other key provisions affecting Western States. Nevertheless, it is imperative in my opinion that we move ahead in the consideration of the budget and this resolution presents the best vehicle to do that. If improvements are not made, however, I may have to vote against the adoption of the final resolution.

The distinguished chairman of the Senate Budget Committee has done his best to reach a fair mix of defense and domestic savings plus revenues earmarked strictly for deficit reduction and he isn't far off the mark. He also firmly establishes some needed priorities. Even with spending restraint, he still provides funding for key national priorities such as education, basic skills, job training, basic research, and more.

I will support efforts to make certain needed changes in this budget in the areas of defense spending, revenues, and certain other programs, particularly those affecting the West. Among other actions, the deduction of administrative and operating costs from gross receipts under Federal mineral, timber, and other congressionally authorized State share receipt programs. This would reduce the Western States' mineral receipts by \$27 million. State share receipts are an important source of revenue for education and infrastructure programs in the West. Their existence helps compensate the public land States for costs associated with private development on public lands.

I hope my colleagues will also vote to move ahead at this time and support adoption of this budget at this time.

Therefore, many members of the Budget Committee are trying to figure out what this process has in fact afforded us. I think what is going to happen this time around, if in fact this budget resolution passes, which it may or may not—I do not know where the votes are. Normally the majority at some time will have to pass a budget. It is their responsibility. The majority party has to do that, and they will pass it, but it will probably be something close to this and it will be woefully inadequate and therefore we will say, "Well, that's Congress' budget. That's what Congress wants. We know that it is inadequate." The administration will say it is dead on arrival, dead on arrival. They do not have to sign it, but they will simply not pay any attention to it, and we will look at the budget of the President as submitted. We will have a couple different budget resolutions out there. We will get into a rather contentious situation during the authorization and appropriation process and then we will finally come down with what we will spend on defense and I dare say that we will in fact have to at some time

face reality and make sure that our national security needs are met.

In this budget resolution budget authority is less, is less, Mr. President, than what was passed by this Congress in 1985—3 years ago. Fiscal year 1988 is less in budget authority than what we passed in 1985. Now, if you can convince me that our commitments to the world in which we find ourselves today is different than what we found 3 years ago and we need not continue our defense expenditures, well, maybe you will have a convert.

However, I do not think you are going to find that situation. As a matter of fact, our obligations have increased. The world today is as threatening, if perhaps not more threatening, particularly as potential conflicts are focused on.

Many people say we have to spend more on conventional weaponry; we have to get away from our reliance on nuclear deterrence, which has worked very well since World War II. We have to spend more in the area of conventional.

If that in fact is a principle that we are going to agree to, spending more on conventional and less on strategic, it is going to cost in real dollars, hard-earned dollars from our taxpayers a lot more than what we are spending now. And yet it sort of follows, if we are going to make that commitment, those who advocate an increased spending of conventional, that we are going to increase our defense budget.

I can guarantee you there is no way you are going to be able to cut the defense budget like you are suggesting and yet have any kind of investment in our conventional capabilities. What you, in fact, will do in all probability is have more reliance on strategic matters and less on conventional because you have to have a deterrence.

You cannot have it both ways. So those who advocate that we ought to be spending more on conventional ought to back that up with in fact voting to increase defense spending because that is exactly what it is going to take.

Furthermore, Mr. President, I think at this particular time when we are on the brink of potential success in negotiations at Geneva, for us to begin to make another unilateral commitment that we are simply going to rivet national defense below what we spent in 1985, is simply a wrong message to send at the wrong time.

One of the reasons we are in fact making progress with the Soviet Union in a dialog and coming to agreement perhaps on INF, perhaps on the START talks and strategic capabilities and maybe in the area of space and defense is because this country over the last 6 years has made a commitment to booster deterrence by investing in national defense.

If you are going to have deterrence to provide for peace, you have to make the investment.

Now, if you want to have less investment in strategic and nuclear deterrence but still provide for deterrence through conventional deterrence and try to have parity and equality in the conventional area, you are going to have to spend more on national defense.

Now, if we go back on that commitment and we deviate from the driving force that is seeing that negotiations will go forward, I wonder what the reaction of our adversaries will be. I wonder what the reaction of our allies will be, because a lot of times we are telling our allies that they have to spend more on defense: "You spend more, we will spend less." I do not think that will get very far with our friends or with our adversaries.

Mr. President, we hear from time to time, "Yes, we are for a strong national defense." I do not dispute that, that everyone is for a strong national defense, because we know the importance of it.

If we do not make an adequate investment in military defense and show the political will to meet those responsibilities, the potential for conflict will escalate. Nobody disputes that we are for a strong national defense. But how are we going to get a strong national defense? Unfortunately, it requires a political element that says, "Yes, we are for it and we are willing to pay for it." Yes, it is an investment. It is an investment in freedom; it is an investment in this country. It should be the first priority of any nation, and particularly a nation such as ours, which is still a leader of the free world and a beacon of hope.

I daresay that if we continue on this slippery slope of ravaging the defense account year after year, we will reduce ourselves to a situation where we will not be able to meet our responsibilities, we will not have that capability, and we will not have the deterrence and the capability of providing deterrence that we have today.

It has been pointed out by other Senators that we are now getting down to a percentage of our gross national product that is at a level of the 1970's, and 1979 in particular. In that year, I was in the House of Representatives, but it began in the Senate, wherein a bipartisan group of Senators said, "We have had Vietnam and Watergate and pilloried our military establishment, the Department of Defense, and if we are going to succeed as the leader of the free world and be able to show our adversaries that we are serious and show our allies that we will live up to those treaty responsibilities and the commitments we have, such as NATO, we will have to make a reinvestment in the area of national

defense." Getting down to 5.5 percent of the gross national product was simply too low.

Therein began the defense buildup on a bipartisan basis, and it started in the U.S. Senate. It has been carried on for the last 5 or 6 years, but unfortunately we have seen a reversal of that. I hope that once we get beyond this budget resolution, we will be able to sit down and come to grips with this very important problem. It will not be just a Republican or Democrat problem. It is a bipartisan problem, and it will take bipartisan resolution. If we cannot get bipartisanship on where the expenditures for national defense should be, we will not have bipartisanship on anything, if we cannot come to grips with what our investment in national security should be and a determination to provide for peace and stability.

I submit, Mr. President, that this budget is woefully inadequate and does not allow us to meet our responsibilities and is moving us dangerously in the direction of unilateralism that one day we will regret, if we do not turn the tide very soon—very soon being this session of this Congress.

Mr. BYRD. Mr. President, I yield myself such time as I may require.

THE CHILES BUDGET PLAN

Mr. President, those of us who have been elected to public office—Democrats and Republicans alike—share a responsibility for the future course of this Nation. At times, that responsibility is easily fulfilled, the course of action clear. Sometimes, however, fulfilling that responsibility takes all the courage, intellect, perseverance, and effort that can be mustered. Such is the case with the budget resolution now before the Senate.

For the past several years, there has been an air of economic good fortune in many parts of the country. Although millions of people in some parts of the country, including my own State of West Virginia, never felt the recovery from the 1981-82 recession, for those that did, the good times were plentiful.

For many, the economic bliss seemed without cost. Yet during this same period, while the surface of our economy seemed bright and shiny, the foundation was being corroded by policies that produced the largest deficits in trade and Federal finances that the country has ever seen. In 1981, the Federal budget deficit was \$78.9 billion and the public debt stood at \$998.8 billion. Six years ago, America's merchandise trade deficit with the rest of the world was \$28 billion.

Last year, the budget deficit exceeded \$200 billion for the third time since 1981, reaching the all-time high of \$220.7 billion. The public debt, which 6 years ago President Reagan described as equivalent to a stack of \$1,000 bills 67 miles high, has now

risen to about 150 miles—\$2.25 trillion. And the trade deficit has steadily worsened to the point that last year's deficit was \$170 billion.

The cost of this massive debt is evident in the interest cost to finance it. This year, \$134 billion will be spent on interest payments, the third largest item in the budget after defense and Social Security. Next year, interest payments will top \$140 billion. That is equivalent of 37 cents of every individual income tax dollar.

Both the record-breaking budget deficit and trade deficit threaten jobs, prosperity, and—most importantly—our children's and grandchildren's standard of living. It is vital that the Congress and the administration work together on policies that will bring an end to both deficits and an end to the sword of Damocles that hangs so precariously over the future of this Nation.

Mr. President, there is little doubt that the trade deficit cannot be brought down permanently without resolving the budget deficit. The string of triple-digit budget deficits that has plagued this country for the past 6 years has sapped our fundamental economic strength and has made us dangerously reliant on foreign funds to finance our growth. The budget deficit must be permanently reduced and finally eliminated, not only in the name of fiscal responsibility, but also in the name of national security.

The budget plan now before us, offered by the able chairman of the Budget Committee, Mr. CHILES, has one attribute above all else—this budget plan would balance the Federal budget by 1991. It does what the President says he wants to do and doesn't—balance the budget. And it would do so even using the more conservative economic assumptions of the Congressional Budget Office. If the assumptions of the Office of Management and Budget were used instead, the Chiles plan would even result in a small budget surplus, \$21 billion, in fiscal year 1991.

The Chiles budget eliminates the budget deficit in 4 years in a reasonable, responsible, balanced manner. Next year, it would reduce the deficit by \$37 billion, achieving one-half of that reduction through cuts in spending and one-half through increases in revenues. And over the next 4 years, fiscal year 1988 through fiscal year 1991, the deficit would be eliminated with two parts spending cuts—half from defense and half from nondefense programs—and one part in revenues.

The Chiles budget begins with tight spending levels, levels that will mean tight budgets in all agencies. Yet, within the overall spending restraint, there is still some room to accommodate new programs to restore our economic power and our competitiveness,

meet essential responsibilities, and implement some new initiatives, for example, catastrophic health insurance.

To achieve the Gramm-Rudman goal of a balanced budget by 1991, the Chiles budget also increases revenues by \$18.5 billion in 1988 and by \$98 billion over the next 4 years. All three major budget proposals—the Chiles budget, the President's budget, and the House-passed budget—acknowledge the need for additional revenues.

The President will not admit that his own budget has additional revenues. He says he will veto any measure that has new taxes. If his own budget had to go across his desk, he would have to veto his own budget because it has increased taxes in it—increased excise taxes on coal, taxes on black lung payments, et cetera.

In any event, whether the President acknowledges it or not, his own budget clearly shows that there are increased revenues therein.

So, each of these three budgets—the President's, the House-passed budget, and the Senate budget—has about the same level of revenues next year, around \$18 billion.

The budget does not specify how those new revenues will be raised. That will await the action of the Ways and Means Committee in the House and Finance Committee in the Senate as those two committees consider a reconciliation bill. But the budget resolution states clearly that if the goal of a balanced budget is to be reached by 1991, revenues must play a part therein.

Of course, some argue that any increase in revenues will go to finance new spending, not to lower the deficit.

The President says that any new revenues will just be spent to finance new programs. Tax and spend, he charges to the Congress. His own policies are borrow and spend—borrow to the tune of doubling the national debt in 5½ years, at the cost of 37 cents out of each individual income tax dollar required to pay the interest on that national debt which has doubled on his watch.

But the Chiles budget includes a provision that asks the Finance Committee to establish a deficit reduction account into which the proceeds from any revenue increase would be placed. This account would ensure that any revenues raised would go solely to reducing the deficit. This is a welcome innovation and I commend the Senator from Florida [Mr. CHILES] for including it in his budget.

Over the next 4 years, the Chiles budget provides for nearly \$1.2 trillion in new budget authority for our defense programs. By comparison, the first 5 years of the Reagan defense buildup, which I supported, increased budget authority by \$1.3 trillion.

Of course, no budget can be ideal. I believe that the Chiles plan is a good starting point—much better than the underlying sequestration budget. I could support an increase in funds for national defense and I could support increases in funding for several of the domestic programs on which my State of West Virginia to some extent depends.

But these increases are not free. There is no free lunch. In recent years there has been the temptation to borrow and spend. This credit card mentality is what has contributed to the mountain of debt this Nation has accumulated. Any increase in spending must be paid for, and not just with one-shot asset sales that will do little, if anything, to achieve permanent deficit reduction. In fact, asset sales are a little like selling your car's tires to buy gasoline. In the end, you never get where you are going. In the budget, selling off assets, especially loan assets, does nothing to help achieve a permanent balanced budget.

If this administration had begun in 1981 to seriously reduce the then \$79 billion deficit, it could have done so in about 2 years. Instead, the deficit rose dramatically, reaching a record \$220.7 billion last year. In other words, that is \$220.70 for every minute since Jesus Christ was born.

The Chiles budget provides an opportunity to eliminate this blotch of red ink on the Nation's ledger and to do so by 1991 in a fair, responsible, and balanced manner. With the Chiles budget in place, this administration need not fear the fiscal legacy it will leave the country or leave the next President, be he a Republican or Democrat. With this budget as a foundation, the Nation can prepare to meet the challenges ahead.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mr. DODD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I yield myself time.

It is hoped that the Senate can reach a vote on the pending amendment by Mr. CHILES at around 4 o'clock this afternoon. I have been discussing this matter with Senator DOMENICI and Senator CHILES. It may be that shortly there could be an agreement to that end. But, in any event, I think it is apparently agreeable that a vote occur in the neighborhood of 4 o'clock, so Senators might be prepared accordingly.

Mr. President, having discussed this request with Mr. DOMENICI, the ranking manager, and with Mr. CHILES, the

manager, and having found it to be agreeable to both, I ask unanimous consent that the vote occur on the pending amendment at 4 o'clock p.m. today.

The PRESIDING OFFICER. Is there objection?

Without objection, the request is agreed to.

Mr. BYRD. Mr. President, I thank the distinguished Senator from New Mexico.

Mr. DOMENICI. Mr. President, I yield myself as much time as I need, subject to the unanimous consent, obviously, which was granted by the Senate. I would like to indicate for the record that I had confirmed the 4 o'clock vote with the distinguished Republican leader prior to my consent.

Mr. President, while we have been on this amendment for a considerable number of hours, in the opinion of the Senator from New Mexico, we have not yet discussed the contents in any detail because a substantial portion of the time was spent yesterday on the point of order.

The Senator from New Mexico and a few others, have addressed one aspect of the budget its anti-Western bias. I will not repeat it to any extent today. But, obviously, the day before yesterday, to a small extent yesterday, and a little bit this morning, the anti-Western bias of the Chiles budget was discussed. I do not think I have to talk about that again, other than to repeat that there can be no question that at least in the 7 years that this Senator has been intimately involved in the budget, 6 as chairman and this one, we have never had a budget that is as biased against one section of the country versus another as this one. We have never had a budget that is so directed against the Western States, and in particular the Rocky Mountain States. Their programs, everything from mineral royalty receipts to the Bureau of Reclamation and the like; bear a huge portion of assumed savings in this budget.

So I will merely remind Senators again that there can be no doubt that a vote for the pending Chiles amendment is a vote against the Western States and especially against six programs of significant interest to them. It is not a question of whether their programs are frozen, whether they are treated as current policy as most other programs in this budget are, but they are dramatically reduced. And yesterday I gave a complete litany of these cuts. I will not repeat it.

I will make one correction on the positive side. There is one assumption that one program which may have a significant impact on the West, public land acquisition for parks, that one is assumed to go up I think, by about \$75 million, even though the President requested only a small increase. The rest of the Western programs, from miner-

al receipts to Bureau of Reclamation to what you must pay for mineral leases in a country; even though the mineral industry has already gone as far down as possible, they are all substantial new burdens for the Rocky Mountain region and Western States.

Now besides that issue, I believe we have discussed defense a little bit. I would like to discuss it in more detail, at this point, so that everyone will understand precisely what they are voting for when they vote, if they vote, for the Chiles amendment.

I sat through the committee proceedings and heard the discussions on defense that took place in the Budget Committee. I say with all respect that I cannot agree with it. Not only do I not agree with it, but I think it is misleading and, to a large extent, simply wrong.

The chairman said we need to look below the topline and think about "real defense" instead of real growth. I agree with that. But the analysis we have seen does not accomplish that. Instead, we have been pelted with opinions and slogans and what I really think are unfounded guesses.

I think we should turn our attention for a while to a substantive discussion of our national security.

The year started with the President submitting a defense budget request of \$312 billion in budget authority, \$8 billion less than his fiscal year 1987 request. Chairman ASPIN of the House Armed Services Committee put out a press release with big headlines, "At Last! A Reasonable Defense Budget!"

On February 25, the Budget Committee received views and estimates from the other Senate committees. The Armed Services Committee of the U.S. Senate, on a vote of 18 to 2, recommended the President's level for defense. They made a specific recommendation regarding the budget authority and the outlay mix, a recommendation which has been totally ignored, not only the number, but the mix; that is, how much budget authority and outlays there should be in order to maintain an appropriate mix of programs. Some spend-out fast, like pay, operations and maintenance, munitions and the like; and some spend out over the very long term, that is the acquisition of things like submarines and battleships, or a new fleet of airplanes.

The Defense Subcommittee also made a recommendation and their recommendation was also for the President's full request. They also raised the issue of the mismatch between the budget authority and the outlays. And the distinguished chairman of the subcommittee is here on the floor, the distinguished senior Senator from Mississippi, Senator STENNIS.

Let me quote from the letter:

The CBO baseline creates a mismatch between the budget authority and outlays which understates outlay requirements by \$3 billion. The CBO baseline makes the unlikely assumption that Congress will fund the same relative mix of programs as was funded in 1987, instead of adjusting the mix to reflect the program planned for fiscal year 1988.

Despite all of these recommendations, the chairman proposed a defense budget that makes a major reduction in the President's defense request. It is justified, apparently, by some assumptions, suppositions and, I think, misstated facts that I hope we will debate at length now. And I am absolutely confident that if a number as low as that is adopted we will be back again debating them. Because if there is one thing I am confident of is that a budget resolution with those defense numbers, with the mix being in error, and the numbers being as low as they are; they cannot be enforced.

I honestly believe we will be back here with either the authorizing committee or the appropriating committee saying, "Regardless of what those budget numbers are, the country cannot maintain its military might, its commitments in the world arena, with this level of military spending."

One of the charts that we saw over and over was one that showed that since 1978 we spent \$500 billion additional dollars on defense. The point that this chart is supposed to make is that we have accomplished a great deal during this 9-year period which is referred to as the "investment cycle."

The contention is that we are completing the current investment cycle and now are able to allow defense investment to fall off. It is contended that recent history dictates that this is the normal course of action in the world of defense modernization. Mr. President, I do not need to elaborate on how preposterous this notion is. The Department of Defense does not modernize in investment waves. Indeed, it is just that kind of profile that everyone including the Department of Defense and a compelling majority of the Members of this institution, the Senate, are working hard to avoid. We need to be on a steady course for our Nation's defense spending so that we can utilize efficient planning to achieve a reasonably modern force.

I mention this chart because I want to put defense spending into a proper historical perspective. The chart that was used in committee by the distinguished chairman is correct. The defense spending has increased by a cumulative \$500 billion since 1978. But that is neither unprecedented nor unwarranted. It happened because the American people supported it. They and their leaders felt that it must occur.

There was a feeling of helplessness on the part of the American people

following Iran, and the Soviet Union's invasion of Afghanistan in the late 1970's. Our military was in such a state that we had a few if any options that we could take. You could feel it in the air. The American people could feel it, and it was time to change the leadership that was leading toward a military collapse in the United States and jeopardizing its role in the world.

The reasons our options were limited at that point in history was because we had neglected our military for an entire decade. Hardly a leader around is disagreed and reasons for that are obvious. We did not spend enough money on defense. We had permitted defense to reach the lowest level in terms of percent of our gross national product since the Second World War.

To put this chart in perspective, if we were to extend the date back another 9 years, the same period that the distinguished chairman uses, we would find that defense had lost a cumulative total of not \$500 million, but \$628 million. Well, you may say, but this takes us right up to the peak of the Vietnam war. That is not true. If the computations were made going back to 1968, the cumulative loss would be much higher—perhaps as high as \$714 billion.

It is obvious to me why \$500 million was put back into the Defense Establishment. It was desperately needed. I had my staff prepare a simple chart to show in an objective way the relationship of defense spending to other Federal spending. It is very simple. In constant 1988 dollars it shows defense spending and nondefense spending.

There are the graphs. You can see them back there in the back of the Chamber with the red line and the blue line. They are graphs for early 1950 when the United States realized in order to fulfill its role in world affairs it had to maintain a standing military.

I also point out that net interest is not included in the nondefense line. What it shows, when both defense and nondefense lines are included, is that the picture is clearer. In 1955, defense spending was \$195 billion and nondefense was \$95 billion. In 1965, a decade later defense spending had dropped, again as measured in constant dollars by \$10 billion, to a total of \$185 billion; nondefense spending on the other hand had risen by \$120 billion to \$251 billion by 1965. By 1975 the trend was even more dramatic. Defense spending was still at the same exact level of \$185 billion while nondefense spending had risen to \$475 billion, an increase of \$261 billion.

In 1985, even after the Reagan buildup which many Members describe as "unprecedented," "massive" and so on, defense spending amounts to \$278 billion, an increase of \$93 billion while nondefense spending is at \$620 billion,

an increase of \$148 billion in that very short period of our history.

In other words, Mr. President, if you look at all of Government spending you see a slightly different picture than if you just look at one period and one part of Government spending.

Mr. President, the graphical representation of this shows clearly that we are now, in defense, about where we would have been had we stayed on a steady course set in the fifties and sixties. None of this takes into account the cost of correcting the damage done by 10 years of defense neglect that occurred prior to the election of President Ronald Reagan. If you look at defense in terms of a share of GNP, total resources of our country, defense as a percent of that, gross national product, was at 9.5 percent prior to the Vietnam buildup. It dwindled to 4.8 percent in the midseventies, and with all the Reagan buildup that is so touted it has risen only slightly to 6.6 percent of GNP in 1986.

Interestingly, even if the President's full request for defense were enacted for the 5-year plan, defense as a percent of GNP would still continue to decline and would be only 6 percent in 1991.

But let me remind the Senate if any of this is relevant, and I believe it is indeed relevant, under the budget that you will vote on in about 35 minutes we will be back to 5.1 percent of GNP, exactly reminiscent of the late 1970's. There can be no doubt in this Senator's mind that somehow or another we must have concluded that things are better in the world. We must have concluded that the Soviets are more apt to negotiate realistically if we decide to return to the decade of the seventies than to stay on a steady path of challenge and preparedness which we are on now. Even after 2 years of successive reductions in the defense spending we are at 6.6 percent of gross national product, and we would now be asked after all the reductions that were made that we go even further, and that we reach balance in 1991 under an assumed set of facts which will take us back to the seventies.

Mr. President, I would like to quickly talk about and summarize this defense situation.

On February 13, Admiral Crowe came before our committee, and he laid out in the clearest terms I have ever heard how our national strategy on security is divided and how DOD translates that into forces, programs, and budgets. He summarized our security situation in various regions of the world, and assessed our prospects in each. He did not paint a particularly reassuring picture. But he did not use his analysis to justify large defense increases. He simply asked the Congress to decide what military capabilities

America should have in the nineties, and set a steady course to get there.

In my view the course set by the mark that we are going to vote on is an unsteady and downward path, not the steady one that Admiral Crowe so succinctly set out for us. It will take us back to the days of a hollow army, of ships that cannot sail, and of soldiers leaving the military in droves because of low pay and poor facilities. You do not need to rely on my assessment because Admiral Crowe addressed this particular issue this way:

We may be able to live with one or two years on a flat or descending appropriations curve, but we will eventually pay heavily for several years of zero or negative growth. At this point, it is difficult to forecast the specific impacts. But given the Soviets' steady progress and the narrow margins inherent in our defense policies, small reductions in our capabilities could very well provoke a disproportionate change in the risk. Our experience has confirmed that time and time again.

He said he thought it ought to be.

Let me make one other statement. Our distinguished chairman actually said in the committee markup that his defense number was inadequate.

The chairman said in the markup it is inadequate. He said he thought it ought to be at least zero real growth, \$14 billion higher, and he said that about \$18.5 billion of new taxes was not enough to pay for an adequate defense.

There it little I can say to add to the impact of those words. I think this budget turns its back on defense, and I think we should not make this kind of serious mistake at this particular moment.

President John Kennedy once said, "Only when we have the weapons to be sure we can win will we be sure that deterrence will work and we will not have to use them."

Mr. President, we have heard from our best military experts, we have heard from our own committees who are experts, any yet we are bound and determined at 4 o'clock this afternoon to vote on a budget resolution that does precisely the opposite of what the committees recommend, of what the military experts recommend, and, indeed, turn our back on a President's budget which, when he sent it, was heralded as at last a realistic 3-percent real growth.

Mr. President, I have given the Senate two reasons for voting no. For those from the West, if they vote aye, I would assume that any Senator from the West that votes aye is preparing now in their Senate office a statement, they are typing it up so they can come down here and put it into the *Record*. Then when somebody asks, "Did you really do that?" They can say, "Well, that was just a starter. We really did not ever intend that to be the budget. We thought it was going to be fixed but we had to start somewhere."

Well, I do not believe this is the way to start. But I do believe Senators from the West and the Rocky Mountain area that vote aye are going to be held accountable for a very, very interesting vote, this is the most anti-West budget produced in the years that we have had a budget resolution, without a doubt.

It seems as if we had to save somewhere so we did there.

That reason is one. The defense reason is another.

Now I would like to just quickly go through a few more.

One of the real whipping boys, an easy one around here, is international affairs. The distinguished occupant of the Chair, the current Presiding Officer, is one who takes international relationships and our country's role in the world very seriously. There is no doubt about it. While he and the Senator from New Mexico may not vote the same, I laud him because he understands that we do indeed have a role.

I also just tell you: The mark that we are going to vote on assumes immediate and substantial reductions in many international programs and fundamental restructuring of diplomatic, broadcasting, and foreign aid operations. The aid program for Israel and Egypt is assumed, supposed to be frozen at the 1987 appropriated level of \$5 billion for 1988 through 1991. If that turns out to be the case, and that is what is assumed, after 1988 aid programs to nonarmarked countries would be reduced by 50 percent or more, and we will do the absolute arithmetic for anybody who wants to see it. That is what you are voting on.

You are going to hold Israel and Egypt harmless, presumably, but yet you are going to cut this function and the nonarmarked aid is where it will come. If you just take it across the board, they will have to be reduced 50 percent.

Obviously, that is the popular thing to do. Obviously, we do not want to spend enough on defense and we do not want to spend enough on foreign aid because somehow or another we have a vision that we must increase other things but not those.

Well, we know, those who are concerned about our future know, that our domestic welfare is very much tied to both our defense and the world and our relationship to developing countries and our commitments to other countries in the world in order to maintain their integrity and promote democracy.

That is the third reason.

Function 600, income security. Federal civilian retirement benefits would be reduced by \$712 million in fiscal year 1988 by eliminating the ability of retirees to receive a lump-sum return of their retirement contributions in exchange for lower benefits.

Function 920, allowances. This mark provides, the one we will vote on, a 2-percent pay raise for civilian employees of Federal agencies. It would require agencies to absorb 50 percent of the cost of the pay raise, and, get this, that is reconciled for 4 years. That is how you get savings that you have been told you are voting for in reconciliation, mandating a 2-percent pay increase for 4 years. So you take that off of an assumed trend line that would be higher and there is the big chunk of savings.

We have never before reconciled pay for 4 years and at 2 percent, one of two things will happen: You will not vote for it because you do not think it is fair, or you will vote for it and it will not happen. Sure, you will reconcile it. They will find some way to either "jimmy" the figures or we will be back here saying, "We found some money somewhere else. We really did not mean that." Whether it is this coming year or next year, does anybody really believe this is a real savings, mandated 2-percent pay increase for 4 years with 50 percent pay absorption within the agencies?

This budget that is before us also assumes, for those who wonder about those who work for our National Government, a 1-year delay in the within-grade pay, those increases that are provided automatically called within-grade pay increases. The budget that you are going to vote on assumes a permanent 1-year delay in that portion of what they have grown entitled to expect, and there are many who think they are indeed entitled to receive. Not even the President proposed those reductions on the civilian side of the budget.

Now, Mr. President, I think the die is cast. I think I have adequately explained as best I can—there are many more things we can talk about—that we have sort of seen what is going to happen. But I could not let the Senate vote without going through a few of the other issues.

My last one is to remind all of those who come from the West and are going to vote aye on this budget to get their floor statements ready, get their excuses ready, get their justifications ready, get their amendments ready, because there is no doubt about it, be it a Democrat or a Republican, if they come from the Rocky Mountains or the West and they vote aye they have a lot of explaining to do with reference to that vote.

Mr. President, I yield 5 minutes—

Mr. CHILES. I wonder if the Senator will agree that the Senator from Florida would have about 10 minutes to clean up a little of this?

Mr. DOMENICI. I did not know how much time the Senator wanted. The Senator from South Carolina, Senator

THURMOND, wants 5 minutes, and Senator GRAMM wants 3 minutes.

Are there any others on our side? Senator EVANS has been trying to get here. He will take a couple of minutes. We will try to keep it to 10, if that will be fair.

Can we make yours 4 minutes?

Mr. THURMOND. I think so.

Mr. DOMENICI. I yield 4 minutes.

Mr. THURMOND. Mr. President, I rise to express my concerns with the funding levels provided for our national security in the budget submitted by Senator CHILES. The President recommended \$312 billion in budget authority for defense. This represents a 3-percent increase, which is only the amount necessary to fund weapons systems which we have previously approved. The Chiles' defense recommendation is \$289 billion in budget authority, which constitutes slightly less than a freeze. This is nearly \$23 billion less than the President's request. Chairman CHILES' proposal recommends \$769.1 billion in nondefense outlays for fiscal year 1988. This is an increase of \$38.6 billion over projected fiscal year 1987 spending. The President's budget provides for total nondefense spending in fiscal year 1988 of \$741.5 billion.

I strongly support the basic priorities of the President's budget request. I have long been an advocate of a strong defense as a deterrent to armed conflict, and the maintenance of peace. Accordingly, I wish to associate myself with the comments of the distinguished ranking member of the Budget Committee, Senator DOMENICI, in which he eloquently related the impact of Chairman CHILES' budget recommendation on the national defense.

Since 1970, defense spending has risen by 300 percent, while nondefense spending has increased by 600 percent. During the Reagan administration about \$100 billion has been added to annual defense spending. Nearly \$180 billion has been added to nondefense spending. During the decade of the 1980's, defense has commanded a smaller share of the Nation's output than any decade in the postwar era.

The defense share of the gross national product [GNP] is about 6 percent, while the nondefense share has constantly increased to a current value of about 17.5 percent. Chairman CHILES' proposal would reverse the recent efforts in defense modernization, by systematically reducing this share of the Nation's output dedicated to defense to a level of about 5.1 percent by 1991.

We cannot allow such a backward step. The Chiles' budget plan would seriously cut into our national defense capability. Further, it would undermine and weaken the President's arms control negotiation ability. National

defense must be maintained as a chief priority.

Soviet leaders only respect strength. It is the strength which we have shown in recent years that has brought them to the negotiating table. We must not reverse our direction in either strategic or conventional defense. Now is not the time to reduce defense spending.

Mr. President, I commend Senator DOMENICI, the able ranking member of the Budget Committee, for his strong support of defense.

The PRESIDING OFFICER. Who yields time?

Mr. ARMSTRONG. Mr. President, I yield time to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for what time?

Mr. ARMSTRONG. Mr. President, we would like to play it by ear. I think the Senator from Texas wants to make a statement and perhaps, if he arrives, the Senator from Washington would, but it is my understanding that the Senator from Florida is to be recognized beginning at 10 of.

Mr. GRAMM. If we might set it at 3 minutes.

Mr. ARMSTRONG. I would be happy to do that.

Mr. GRAMM. Mr. President, we have had ample discussion about national defense. What a paradox it is that virtually every Member on the Senate floor today spoke in outrage in 1980 against President Carter and his defense budget when the percentage of GNP going to defense was 5 percent. We are here today voting on a budget that takes us back to 5 percent of GNP going to defense. Nobody believes the threat is less today than it was in 1980. Everybody recognizes it is more.

As you look at this budget with a 1.4 percent increase in defense over the last year, you might say, "Well, that is what we had to do to deal with the deficit problem." The only problem is when you come down the page you find that nondefense spending grows by six times as much as defense spending. In fact, nondefense spending is up 6 percent in this budget.

So what we are doing here is not cutting defense to meet the Gramm-Rudman-Hollings targets, not cutting defense to reduce the deficit, but instead we are reducing the rate of growth in defense dramatically. We are raising the rate of growth in nondefense dramatically.

Now, a lot of people in the aftermath of this budget are going to be talking about cuts. And I guess in my final couple of minutes I want to leave people listening to this debate with one point. That is there are no cuts in Federal spending. The budget before us proposes spending \$42.8 billion more than we spent last year. Revenues from economic growth are up

\$66.4 billion. If we froze the total level of spending at last year's level, that would more than meet the Gramm-Rudman-Hollings targets. But we are increasing domestic spending, severely limiting the growth of defense, and we are raising taxes by \$18.5 billion.

Now, what does it mean when we say we have to raise taxes in writing this budget? What it means is that we have looked through the whole budget of the United States, we have looked at a proposed \$1.053 trillion of programs, and have concluded there is more fat in the budget of the average working person back home, more fat in what they are spending to feed and educate and house their family and children than there is in the \$1.053 trillion in this budget. Therefore, we are going to vote to raise their taxes.

I do not believe that. I believe there is more fat in the Federal budget and we ought to be cutting spending rather than raising taxes.

The PRESIDING OFFICER. The Senator's 3 minutes are expired. Who yields time?

Mr. ARMSTRONG. Mr. President, as I understand it, our side has about 2 minutes remaining, and I will yield that time to myself.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ARMSTRONG. Mr. President, recently a member of my family made the observation that they could never understand why I was always so disgusted with the way the Senate handles issues until the last year when this member of my family, whom I will not embarrass by identifying, specifically began to watch these proceedings on television and I would judge that any thoughtful person, whether they were related to a Senator or not, who watches this charade, this travesty on television would be about as disgusted as I am.

I guess I have been watching this at short range for about 9 or 10 years and all I can tell you is I think we have reached what one newspaper editor described as "the stomach turning point." The pious declarations that we are interested in saving money or balancing the Federal budget simply do not square with our actions in this budget resolution or in anything else we have done this year.

Mr. President, this Congress is on its way to becoming the most spendthrift Congress that is possible to imagine. The first thing we did when we got here was to pass a big water bill, which the President vetoed, and then we overrode that. And then we passed a highway bill which authorized, among other things, twice as much for mass transit as the President asked. And then we passed a homeless bill which in my view will go down in history not only as extravagant but misdirected. Then we passed a housing bill which

failed to reform in any degree, significant or otherwise, some of the most extravagant and wasteful programs we have ever seen and started a bunch of new ones.

Now we come with a budget which does exactly what the Senator from Texas and others have just said. This is a joke. This is a charade. We are trashing the budget process. We are spending the very little remaining credibility which Congress has on these issues, and I regret it. I retain the hope we are going to do better, but I guess I would have to say it looks to me like the fix is in. It appears to me that the majority has the votes for this or some version of it. I, for one, very much regret that probability.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Who yields time?

Mr. CHILES. I yield myself such time on the resolution as I may use.

Mr. President, I have listened with great interest to the distinguished Senator from Colorado, as he spoke about the majority having the votes. I hope we do. I am not sure about that, but I hope so.

If you want to talk about travesties, I think it is a travesty we cannot put together a bipartisan budget. I think it is a travesty when the majority says to the minority:

Come participate. Come join us. Come help us put this together. Bring your President along. We would like to have his participation, too. We would like to have his leadership.

We have not had it. We have not had it in the Budget Committee. We have not had it to date. I am always hopeful. But I hope that member of your family does not get a chance to observe some of this, because it might be upsetting.

That gives me some concern, a little qualm. I am not here participating with the majority only because I want to. I am doing it because it is the only thing available to do.

Mr. ARMSTRONG. Mr. President, if the Senator will yield, he tempts me sorely to point out that during prior years, when he was a member of the minority, he performed that task in such an admirable and worthy manner that we would be glad to return him to that status at an early date.

Mr. CHILES. I think we performed in such an admirable manner by participating that the people decided to give us a chance to lead.

My time is limited, and I have a couple of other points, if the Senator will allow me.

I say to my good friends who have been making these comments: Welcome to the real budget deficit-reduction world.

I have heard it said that defense is being cut and that is terrible. The Senator from Florida wishes we were not talking about cutting defense. He

wishes we were not talking about cutting domestic programs. He wishes we were not talking about raising revenues. He wishes we were not talking about reducing a deficit of \$171 billion, or making reductions of \$37 billion.

We are told we can find some waste, fraud, and abuse, that there is a lot of it around, but I do not see anybody who has discovered it thus far.

We are told, "How in the world can you be cutting defense?" Well, it is simple. If you are going to save \$37 billion, how do you do it? We decided we would take half off the revenue side. That is \$18.5 billion. We are castigated for doing half of it off the revenue side, but we felt we could not do it all off the spending side. On the domestic spending side we will do \$10.3 billion.

Then we said we will have to have \$9 billion on the defense side—not as much on the domestic side, but we decided some savings were necessary.

In the real world, if you are going to have deficit reduction, you have to reduce something. That is what this is all about. If you do not reduce any defense, you have limited options: You could reduce those domestic revenues another \$6.9 billion. But no one has told me where that would come from.

I am hearing protests about some user fees in Western States, what a terrible budget this is for Western States. That is a good argument. But I can make that same argument, just as well, for the East and the South. I am hearing in my State about how devastating this is to our programs—Coast Guard user fees, meat and poultry inspection fees, the effect on Medicare.

But, my goodness, the budget charges the West some additional money! It does. It charges some additional money to the West, to the East, and to the South, because we are talking about deficit reduction. There is no easy way to talk about it.

I have not heard anybody say, "Let us add that \$6.5 billion to the revenue side," and nobody says where it would come off the domestic side.

So, we are going to have a modicum of defense reduction. It is not easy to get. We were castigated yesterday, and we will be later, because we did not get down to \$108 billion. There is no way to do it without reducing some programs.

Let us look at defense for a moment.

As has been pointed out, the Senator from Florida helped in the buildup of defense. I want to continue to do that. The outlays for defense as a percentage of GNP have increased 104 percent since 1980.

But what has happened to domestic programs? We have been talking about how large they have grown. They have increased, as a percentage of GNP, 44 percent. So, Mr. President, one is twice as big as the other—44 to 104 percent. That gets down to the true figures.

I have listened to the figures of the Senator from South Carolina. But what his figures did not say is that in Medicare and Social Security—and he included that as the nondefense growth—we are paying for them. The taxpayers are paying for them. The user is paying. It is part of the payroll deduction. The employer and the employee pay that.

In the defense buildup we have had, we have borrowed the money. That is left for us to pay for; that is left for our children to pay. That is part of the money foreigners are putting up, and we are paying interest on it.

The Senator from Florida is willing to pay for defense. I think that is part of the difference we are talking about here. Do we care so much about our country and care so much about our defense that we just borrow more money, and add to the national debt, regardless of the fact that we have added \$1.3 trillion since 1980? Regardless of the fact that we have more than doubled the national debt in the last 6 years, borrow some more, because we care so much for defense. Pay for it? Wait a minute. That is different. Instead we talk about waste, fraud, and abuse. Let us talk about what we are doing to other programs. Let us talk about everything but paying the bill.

I would like to see how some other people would raise this money. I have seen the President's budget and what it does. He adds some money to defense. He adds about \$12 billion above the baseline for defense. He makes some real cuts off the domestic spending side.

I think we should have a chance to find out whether people want to follow the President's budget or whether they want to make those cuts: drastic cuts in Medicare, drastic cuts in Medicaid, drastic cuts in education; 30 percent in education; 50 percent cuts in the new drug war money.

The administration raised taxes to pay for highways in 1982 because we said this country needed highways. When the President came out for that, Congress followed, and we added a nickel to the gasoline tax. The people accepted it. We knew we needed highways.

Mr. President, I think we need the same thing in defense. If the President calls for it, I believe this Congress would respond and the American people would respond. Instead, we just borrow money.

What this plan is about is that deficit reduction must be equal, must be fair. It is done on the domestic side, and it is done less than that, but some, on the defense side. All of the new revenue money goes into the trust fund for deficit reduction alone. If you want to reduce the deficit, you need to vote for this amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The hour of 4 p.m. having arrived, the question is on the Chiles amendment, No. 175, the second-degree amendment to the motion to recommit.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE] is necessarily absent.

The PRESIDING OFFICER (Mr. BREAUX). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas, 50, nays 49, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—50

Adams	Exon	Mitchell
Baucus	Ford	Moynihan
Bentsen	Fowler	Nunn
Biden	Glenn	Pell
Bingaman	Graham	Proxmire
Boren	Harkin	Pryor
Bradley	Inouye	Reid
Breaux	Johnston	Riegle
Bumpers	Kennedy	Rockefeller
Burdick	Kerry	Sanford
Byrd	Lautenberg	Sarbanes
Chiles	Leahy	Sasser
Conrad	Levin	Simon
Cranston	Matsunaga	Stennis
Daschle	Melcher	Weicker
Dixon	Metzenbaum	Wirth
Dodd	Mikulski	

NAYS—49

Armstrong	Hatfield	Pressler
Bond	Hecht	Quayle
Boschwitz	Heflin	Roth
Chafee	Heinz	Rudman
Cochran	Helms	Shelby
Cohen	Hollings	Simpson
D'Amato	Humphrey	Specter
Danforth	Karnes	Stafford
DeConcini	Kassebaum	Stevens
Dole	Kasten	Symms
Domenici	Lugar	Thurmond
Durenberger	McCain	Trible
Evans	McClure	Wallop
Garn	McConnell	Warner
Gramm	Murkowski	Wilson
Grassley	Nickles	
Hatch	Packwood	

NOT VOTING—1

Gore

So the amendment (No. 175) was agreed to.

Mr. CHILES. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CRANSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(By request of Mr. BYRD, the following statement was ordered to be printed in the RECORD:)

● Mr. GORE. Mr. President, I want to take this opportunity to note that, had I been present today, I would have enthusiastically cast my vote for the Chiles budget amendment. I was

unable to return from out of town in time for today's vote, but I want to make my position on the amendment clear, for the RECORD.●

AMENDMENT NO. 179

Mr. CHILES. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida [Mr. CHILES] proposes an amendment numbered 179.

On page 35, line 52, strike "in amounts not to exceed the amounts specified in subsection (b)".

On page 36, line 8, strike "enacted that ensures" and insert "reported that will, if enacted, ensure".

On page 36, lines 15 and 16, strike "as requested by the President".

On page 36, strike lines 19 through 38.

On page 36, line 39, strike "(c)" and insert "(b)".

Mr. BYRD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will please be in order.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. Who yields time?

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will shortly yield some time to the distinguished Senator from Colorado, but let me say, in particular to Republican Members, our Republican leader has scheduled a conference of Republicans in room 207 at 4:45. I would say to the distinguished majority leader that it is the Republican leader's idea that that will take no longer than a half-hour.

I might say I did not know that the distinguished chairman was going to offer an amendment. I thought it was going to be rotated and it would be our turn. He has indicated to me that he did not know that we had an amendment on our side. I have since learned that perhaps the amendment that he has sent to the desk is one that we might have already assumed was part of his package. I am not sure of that. Nonetheless, we would like a little time to look at it.

I might say that I promised to yield some time to the Senator from Colorado, some time from the resolution, not in opposition to the amendment.

How much time would the Senator wish?

Mr. ARMSTRONG. I would like 2 minutes.

Mr. DOMENICI. I yield 2 minutes.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator will suspend. The Senate will please be in order.

Mr. BYRD. Mr. President, will the distinguished Senator from Colorado let me make an announcement without the time being charged against him?

Mr. ARMSTRONG. Yes, of course.

Mr. BYRD. Mr. President, there will also be a conference of Democrats. We will have our conference in room S-211 immediately. I hope all Senators will attend.

How much time does the distinguished minority leader want?

Mr. DOLE. If they show up on time and we start at 4:45, we hope to complete it by 5:30.

Depending upon the disposition of the pending amendment, it may be that if we are permitted to offer an amendment, there could be a major amendment on this side. There may not be a vote on it tonight but at least we would get it laid down.

Mr. BYRD. Mr. President, I ask unanimous consent, if agreeable to all parties, that following the completion of the statement of the Senator from Colorado, the Senate stand in recess until 5:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado is recognized for 2 minutes.

Mr. ARMSTRONG. Mr. President, I thank the Chair. I thank the leaders. I thank my friend from New Mexico.

I ask if we can have order in the Senate.

The PRESIDING OFFICER. The Senate will please be in order. Will those Senators who desire to converse please retire to the cloakrooms?

The Senator from Colorado.

Mr. ARMSTRONG. Mr. President, I just want to take a moment to put one issue on the RECORD straight. There are a lot of things about this budget that need to be talked about, but in the moments leading up to the vote which just occurred, an impression may have been inadvertently made which should not stand unchallenged even for a matter of a few minutes while we are in recess. That is the question of the participation in this process by the President of the United States. A casual reader of the RECORD or someone who might be watching these proceedings on television might somehow gain the idea that the President is a nonparticipant, that somehow he has run away from the budget process.

I just want the RECORD to be clear that this is not the case at all.

Mr. Reagan has submitted his budget. He stands by it. It is not a budget which I think is particularly admirable. It is a budget which I can criticize. In fact, Senators will recall that I have felt free to criticize the budget submitted by President Reagan and his predecessors on many occasions.

But the notion that somehow he is not participating in the process is wrong.

Let me also state for the record that while there is a lot about the President's budget I do not care for, it is a

lot better than the budget presently under consideration by the Senate.

Some may think that the President of the United States is not doing his job. If they will look at that budget they will find that he has had the courage to terminate a number of programs which have outlived their usefulness. This budget does not do so.

Mr. Reagan's budget has called for reforms in housing, in welfare, in a number of areas. In fact, in no less than three dozen specific programs President Reagan's budget calls for either terminating programs or reforming them, the kind of courageous budgetary steps which are not in any degree reflected in the budget before us.

I would say to those who are waiting for President Reagan to participate that he has not only participated but he has done more than his share thus far.

RECESS UNTIL 5:30 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until 5:30 p.m.

Thereupon, at 4:35 p.m., the Senate recessed until 5:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BYRD).

RECESS UNTIL 6 P.M.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess for 30 minutes, with the time to be equally charged against both sides.

There being no objection, the Senate, at 5:30 p.m., recessed until 6 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ROCKEFELLER).

Mr. BYRD. Mr. President, if it is agreeable with the Republican leader and the ranking manager—I have discussed the matter with the manager, and he has the feeling that we ought to go out—we would just leave the pending amendment where it is; and when we come in tomorrow, the question will be on the amendment by Mr. CHILES.

Mr. President, I ask unanimous consent that the time that was utilized in the earlier recess be equally charged against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, there will be no more rollcall votes today. I would anticipate rollcall votes tomorrow. There is a lot of work yet to be done.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that there be a period for morning business at this time, not to extend beyond 15 minutes, and that Senators be permitted to speak up to 5 minutes each therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

"DAYS OF REMEMBRANCE, 1987"

Mr. WARNER. Mr. President, many historic events occur in the rotunda of the Capitol of the United States of America.

Yesterday, Members of Congress and guests were honored to participate in "Days of Remembrance, 1987." This moving ceremony was under the sponsorship of the U.S. Holocaust Memorial Council.

The Speaker of the House, the majority leader of the Senate and Senator DANFORTH spoke with extraordinary feeling and sensitivity on behalf of both Houses of Congress. Their statements reflect the overwhelming sentiment in the Congress today and, hopefully, the future.

The ceremony concluded with special recognition of two distinguished Americans, now deceased, Edward R. Murrow, and Fred Friendly, witnesses to and recorders of these tragic events.

Just as the Holocaust period in history must be remembered, so must these remarks be made of permanent record for present and future generations to study.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point statements made in the context of this entire ceremony, and that the program also be printed in full.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS: HOLOCAUST MEMORIAL

(By U.S. Senator Robert C. Byrd from West Virginia, Washington, DC, April 28, 1987)

Forty-two years ago this spring, for the first time, Allied and American troops came upon Hitler's death camps.

The gates of Dachau, Buchenwald, and Mauthausen were thrown open to reveal to a stunned world, horrors unimaginable.

One of the victims rescued from Buchenwald was Elie Wiesel, the Nobel Peace Prize laureate and the past chairman of the U.S. Holocaust Memorial Council—a man who has spoken so eloquently to the world's conscience about the Holocaust for so many years.

Out of his experience of the Holocaust, Elie Wiesel has reminded us, "the opposite of love is not hate, but indifference. The opposite of art is not ugliness, but indifference. Indifference to evil is evil."

But few people were prepared to learn the depth to which men could plunge in committing evil against our own kind.

The last surviving eyewitnesses to those concentration-camp liberations—as well as

the last surviving victims of those camps—are becoming fewer in number every year.

One day, they will all be gone. And when those survivors are gone, who will there be to remember the Holocaust? Already, perverse voices arise saying, "There was no Holocaust!"

As representatives each of humanity, we—and all who follow after us—have a duty to remember the Holocaust in the place of those who suffered it and witnessed it—to burn the memory of the Holocaust into human history.

For an evil that mankind forgets is an evil that mankind can repeat. The price of historical amnesia can be incalculable. And what does remembering mean, then?

Again, Elie Wiesel speaks to us. He said, "To remember—means to open our soul and make it more sensitive to suffering everywhere. It means also to be aware of what is going to happen to this world unless we tell the tale."

The linking of this ceremony of remembrance of the Holocaust with the awarding of the Eisenhower Liberation Medal to the late Edward R. Murrow and to Mr. Fred Friendly is, then, particularly appropriate. In their lucid, honest, and committed fashion, Edward R. Murrow and Fred Friendly were among the first to open the eyes of the whole world to the enormities that had been uncovered in Hitler's Reich. Their words and their reports stirred our indignation, and made possible the determination that the horrors of the Holocaust not be repeated.

As a result, the rallying cry of all men and women of good will should be, "never again!"

And our hope should be the long-ago vision of the prophet Isaiah, who wrote: "And he shall judge among the nations, and shall rebuke many people; and they shall beat their swords into plowshares, and their spears into pruninghooks: nation shall not lift up sword against nation, neither shall they learn war any more."

DAYS OF REMEMBRANCE OF THE HOLOCAUST

(Note: Senator Danforth delivered the keynote address for the Civic Ceremony of the Days of Remembrance of the Holocaust at 11 a.m. on Tuesday, April 28, in the Rotunda of the United States Capitol. This is the text of Senator Danforth's address.)

Nine years ago, when Congress first enacted a resolution creating days of remembrance, our intent was to encourage reflection on the Holocaust during the time of week set aside for religious observances. It was not to be a single day of remembrance, but at least two days, a Saturday and a Sunday, a Sabbath and a day of Resurrection, so that Jews and Christians could consider the meaning of the Holocaust from the vantage points of their religious traditions.

Certainly, the Holocaust does have profoundly religious significance. For Jews it is important never to forget the past—to recall that most awful time of persecution—to remember those six million men, women and children who were put to death for the single reason that they were Jews.

For Christians, it is important to recall the past in order to plumb the depths of sin in our own souls. Days of Remembrance calls us to consider the meaning of our own faith, to contemplate how this appalling thing could have happened, and to restate that Nazism and its brutality were in absolute contradiction to our most basic beliefs.

For men and women of all faiths, memory of the Holocaust calls us to repentance. All of us tend to be self-righteous about our religious beliefs, but the Holocaust reminds us that some who committed those awful crimes were Christians, and many others who stood by the wayside and let it happen were Christians. So the Holocaust is a lesson to us. It is a lesson that some of the worst acts of hatred and persecution in history have been done in the name of religion or with the condonation of religious people—that some of our darkest thoughts and acts take place when we believe we are doing God's will.

These ideas and others occur when we are in our synagogues and churches for week-end commemorations of the Holocaust. But this is a different setting and a different time. This is the rotunda of our Nation's Capitol, not a house of prayer. This is the middle of a week day. We gather not as Jews or as Christians, but as Americans, in a civil setting, and we do so to acknowledge those values which are not unique to one faith or another, but which are common to all of us as "one nation under God."

The memory of what we are not reminds us of what we are. In 1933, a satanic man assumed unlimited power of government. That government singled out a people for their religion. It sacked their businesses and burned their synagogues. It rounded them up from their homes and herded them into cattle cars. It shipped them to death camps. It starved them and beat them and shoved them into gas chambers, as many as 2,000 at a time.

Death became the main mission of government. When fighting a war competed with murdering Jews, murder was the priority. Soldiers who could have fought guarded Jews. Trains that could have carried supplies to the front carried Jews to the camps.

We Americans complain about the inefficiency of government. Those of us who work in this building lament the slow pace of our work. Here a tiny minority can bring the process to a halt.

There were no such complaints in Nazi Germany. Minorities never got in the way of anything. The only problem they caused was logistical.

A government was absolute power and with a single-minded purpose can be amazingly efficient. Ninety percent of the Jews of Poland were killed. Six million human lives were extinguished with machine-like competence.

In America, the efficiency of government has never come first. The people come first. And when we speak of "the people," we do not mean some master race. We mean all the people. We mean every race and every religion.

We believe that government exists not to destroy people, but to protect them, not to crush their dignity, but to lift them up. We find no strength in favored classes which lord it over others. We find strength in our diversity of faiths and groups which unite in a common commitment to justice and tolerance.

The memory of what we are not reminds us of what we are. So let us remember the victims of the Holocaust. Let us never forget. And let us rededicate ourselves to our country and to the values common to us all.

SPEAKER JIM WRIGHT: REMARKS TO DAYS OF REMEMBRANCE CEREMONY

We are gathered today to regenerate our faith and renew a solemn commitment. We

join together because, more than four decades later, the utter depravity of the holocaust still appalls and baffles us. We strain to understand how such brute cruelty could have occurred in the heartland of European civilization. We come to record our collective promise that deeds of such savage inhumanity shall never be allowed to occur again.

If this national commitment is to have meaning, it must be firmly undergirded by our intensely felt individual commitments. It was not numbers that perished. It was people who perished in the fiery furnaces. It was people who suffered the agonizing loss of loved ones. It is the individual person who chooses to follow or to disobey immoral orders from an immoral government, and it is the individual person who must answer in the private recesses of his own conscience.

As Americans, we played no direct or overt part in perpetrating these crimes against humanity. Indeed, it was we who played the decisive role in liberating Europe from the shackles forged by a maniacal mind. Still, there is a sense in which not even our own country was wholly blameless. There was uncomfortable evidence on which we turned our backs. When we turned away the St. Louis, a passenger ship with nine hundred Jewish refugees from Hitler's ghettos, we should have realized we were consigning them to death. We chose not to think about this, may God forgive us.

Altogether, there were six million Jewish victims. Six million people, a figure that defies comprehension.

Probably the most soul-stirring memorial in Washington is the one for the Vietnam veterans that lists the names of the American victims of that war. Each time I visit it, I am overwhelmed by its enormity. Yet to erect a similar monument naming the victims of the holocaust would require a stark wall rising almost twice as high as the Washington Monument.

But the enormity of the holocaust is more than the numbers. It is the impersonality with which it all occurred. Part of the tragedy is that our efforts to remember the victims will forever be marred by our ignorance of who many of them were. Hitler undertook in twelve short years to wipe out an entire European Jewish culture that had developed over hundreds of years from the Norwegian Sea to the Black Sea, whole families were massacred. One million children were killed. They were not nameless at the time. They were not nameless to their mothers. They are not nameless to God. But the horrors of the Holocaust have rendered them nameless to history.

Let us also recall with clarity that the Jews were not the only victims of the fiendish death machine. Thousands of Greeks, Ukrainians, Czechs, Poles, Gypsies likewise were pushed into the Nazi fires. It was a savage, racist hymn of hate intent upon the destruction of whole ethnic and religious segments of our human family.

Hitler did not invent the evil of racial and religious hatred. He only honed it to an art form of fiendish efficiency. From Babylon to Buchenwald, from Wounded Knee to Armenia, from the excesses of the Ku Klux to the killing fields in Cambodia, its victims lie buried.

May we never again give comfort or breathing space to the deadly virus of racism and religious bigotry in our society—or in our world. May we recognize its symptoms, however seductively disguised. May we be eternally vigilant against its recurrence anywhere. And may we cultivate in

our hearts and in our minds and in our institutions its only effective antidote, which is brotherly love for all the children of man throughout the Earth.

DAYS OF REMEMBRANCE, 1987

(Sigmund Strochlitz, Benjamin Meed, Co-Chairmen, Days of Remembrance Committee)

NATIONAL CIVIC COMMEMORATION OF THE DAYS OF REMEMBRANCE

TUESDAY, APRIL 28, 1987, UNITED STATES CAPITOL ROTUNDA, WASHINGTON, D.C., 11:00 A.M.

Program

Processional.

Commemoration

Star-Spangled Banner: The U.S. Army Band (Pershing's Own), COL Eugene W. Allen, Leader and Commander. Cantor Isaac Goodfriend, Member, U.S. Holocaust Memorial Council. Color Guard, Third U.S. Infantry (The Old Guard).

Invocation: Reverend Richard C. Halverson, United States Senate Chaplain.

Introduction: The Honorable William J. Lowenberg, Vice-Chairman, U.S. Holocaust Memorial Council.

Commemorative Address: The Honorable James C. Wright, Jr., Speaker of the House.

Commemorative Address: The Honorable Robert C. Byrd, Majority Leader of the Senate.

Keynote Address and Introduction of Candle Lighting: The Honorable John C. Danforth, United States Senator.

Remembrance

Background Choral Selection: Ani Maamin: Socialist Republic of Romania Jewish Choir, Conductor: Izu Gott.

Naming of Candle Lighters: The Honorable Kitty Dukakis, Member, U.S. Holocaust Memorial Council.

Lighting of Candles: Assisted by Sigmund Strochlitz and Benjamin Meed, Co-Chairmen, Days of Remembrance Committee, U.S. Holocaust Memorial Council.

Candlelighters:

Representative Thomas S. Foley, Senator Edward M. Kennedy.

Representative Henry A. Waxman, Senator Daniel K. Inouye

Representative Dan Glickman, Senator Lowell P. Weicker.

Representative Martin Frost, Senator Howard M. Metzenbaum.

Representative John Edward Porter, Senator Dennis DeConcini.

Representative Helen Delich Bentley, Senator Arlen Specter.

Remarks: The Honorable Sigmund Strochlitz.

Remarks: The Honorable Harvey M. Meyerhoff, Chairman, U.S. Holocaust Memorial Council.

Elmale Rachamim: Cantor Isaac Goodfriend.

Kaddish: The Honorable Benjamin Meed.

Eisenhower Liberation Medal

Introductory Remarks: Dan Rather, Anchorman and Managing Editor, CBS Evening News.

Taped Excerpts: From the April 15, 1945, broadcast of Edward R. Murrow.

Medal Presentation: To Edward R. Murrow (Posthumously) by the Honorable Harvey M. Meyerhoff. Accepted by Mrs. Janet B. Murrow.

Excerpts: Read by Dan Rather from Fred Friendly.

Medal Presentation: To Fred W. Friendly by The Honorable Harvey M. Meyerhoff. Accepted by Fred W. Friendly.

Benediction: Rabbi Arnold Resnicoff, U.S. Navy Chaplain.

Recessional.

Partisan's Hymn: The U.S. Army Band.

EDWARD R. MURROW: CBS RADIO BROADCAST FROM LONDON, APRIL 15, 1945

Permit me to tell you what you would have seen and heard had you been with me on Thursday. It will not be pleasant listening. If you are at lunch or if you have no appetite to hear what Germans have done, now is a good time to switch off the radio, for I propose to tell you of Buchenwald.

It is on a small hill about four miles outside Weimar, and it was one of the largest concentration camps in Germany. And it was built to last.

As we approached it, we saw about a hundred men in civilian clothes with rifles advancing in open order across the fields. There were a few shops. We stopped to inquire. We were told that some of the prisoners had a couple of SS men cornered in there. We drove on, reached the main gate. The prisoners crowded up behind the wire. We entered.

And now, let me tell this in the first person, for I was the least important person there, as you shall hear. There surged around me an evil-smelling horde; men and boys reached out to touch me. They were in rags and the remnants of uniforms. Death had already marked many of them, but they were smiling with their eyes.

I looked out over that mass of men to the green fields beyond where well-fed Germans were plowing. A German, Fritz Kersheimer, came up and said, "May I show you around the camp? I've been here 10 years." An Englishman stood to attention saying, "May I introduce myself? Delighted to see you. And can you tell me when some of our blokes will be along?" I told him, "Soon," and asked to see one of the barracks. It happened to be occupied by Czechoslovakians.

When I entered, men crowded around, tried to lift me to their shoulders. They were too weak. Many of them could not get out of bed. I was told that this building had once stabled 80 horses; there were 1,200 men in it, five to a bunk. The stink was beyond all description.

When I reached the center of the barracks, a man came up and said, "You remember me; I'm Peter Zenkl, one-time mayor of Prague." I remembered him but did not recognize him. He asked about Benes and Jan Masaryk.

I asked how many men had died in that building during the last month. They called the doctor. We inspected his records. There were only names in the little black book, nothing more. Nothing of who these men were, what they had done or hoped. Behind the names of those who had died there was a cross. I counted them. They totaled 242—242 out of 1,200 in one month.

As I walked down to the end of the barracks, there was applause from the men too weak to get out of bed. It sounded like the handclapping of babies, they were so weak.

The doctor's name was Paul Heller. He had been there since '38. As we walked out into the courtyard, a man fell dead. Two others—they must have been over 60—were crawling towards the latrine. I saw it, but will not describe it.

In another part of the camp they showed me the children, hundreds of them. Some were only six. One rolled up his sleeve,

showed me his number. It was tattooed on his arm—D6030 it was. The others showed me their numbers. They will carry them till they die.

An elderly man standing beside me said, "The children—enemies of the state." I could see their ribs through their thin shirts. The old man said, "I am Professor Charles Richer of the Sorbonne." The children clung to my hands and stared.

We crossed to the courtyard. Men kept coming up to speak to me and to touch me—professors from Poland, doctors from Vienna, men from all Europe, men from the countries that made America.

We went to the hospital; it was full. The doctor told me that 200 had died the day before. I asked the cause of death; he shrugged and said, "Tuberculosis, starvation, fatigue, and there are many who have no desire to live. It is very difficult." Dr. Heller pulled back the blankets from a man's feet to show me how swollen they were. The man was dead. Most of the patients could not move.

As we left the hospital, I drew out a leather billfold, hoping that I had some money which would help those who lived to get home. Professor Richer from the Sorbonne said, "I should be careful of my wallet, if I were you. You know there are criminals in this camp, too."

A small man tottered up saying, "May I feel the leather, please? You see, I used to make good things of leather in Vienna." Another man said, "My name is Walter Roeder. For many years I lived in Joliet—came back to Germany for a visit, and Hitler grabbed me."

I asked to see the kitchen; it was clean. The German in charge had been a Communist, had been at Buchenwald for nine years, had a picture of his daughter in Hamburg—hadn't seen her for almost 12 years, and if I got to Hamburg would I look her up? He showed me the daily ration—one piece of brown bread about as thick as your thumb; on top of it a piece of margarine as big as three sticks of chewing gum. That and a little stew was what they received every 24 hours.

He had a chart on the wall, very complicated it was. There were little red tabs scattered through it. He said that was to indicate each 10 men who died. He had to account for the rations. And he added, "We are very efficient here."

We went again into the courtyard, and as we walked, we talked. The two doctors, the Frenchman and the Czech, agreed that about 6,000 had died during March. Kersheimer, the German, added that back in the winter of '39, when the Poles began to arrive without winter clothing, they died at the rate of approximately 900 a day. Five different men asserted that Buchenwald was the best concentration camp in Germany. They had had some experience with the others.

Dr. Heller, the Czech, asked if I would care to see the crematorium. He said it wouldn't be very interesting because the Germans had run out of coke some days ago and had taken to dumping the bodies into a great hole nearby.

Professor Richer said perhaps I would care to see the small courtyard. I said yes. He turned and told the children to stay behind.

As we walked across the square, I noticed that the professor had a hole in his left shoe and a toe sticking out of the right one. He followed my eyes and said, "I regret that I am so little presentable, but what can one do?"

At that point, another Frenchman came up to announce that three of his fellow countrymen outside had killed three SS men and taken one prisoner. We proceeded to the small courtyard. The wall was about eight feet high; it adjoined what had been a stable or garage.

We entered. It was floored with concrete. There were two rows of bodies stacked up like cordwood; they were thin and very white. Some of the bodies were terribly bruised, though there seemed to be little flesh to bruise. Some had been shot through the head, but they bled but little. All except two were naked. I tried to count them as best I could, and arrived at the conclusion that all that was mortal of more than 500 men and boys lay there in two neat piles.

There was a German trailer which must have contained another 50, but it wasn't possible to count them. The clothing was piled in a heap against the wall. It appeared that most of the men and boys had died of starvation; they had not been executed. But the manner of death seemed unimportant—murder had been done at Buchenwald. God alone knows how many men and boys have died there during the last 12 years. Thursday I was told that there were more than 20,000 in the camp; there had been as many as 60,000. Where are they now?

As I left that camp, a Frenchman who used to work for Havas in Paris came up to me and said, "You will write something about this perhaps?" And he added, "To write about this you must have been here at least two years. And after that, you don't want to write any more."

I pray you to believe what I have said about Buchenwald. I have reported what I saw and heard, but only part of it; for most of it I have no words. Dead men are plentiful in war, but the living dead, more than 20,000 of them in one camp—and the country round about was pleasing to the eye, and the Germans were well fed and well dressed. American trucks were rolling toward the rear filled with prisoners. Soon they would be eating American rations—as much for a meal as the men at Buchenwald received in four days.

If I have offended you by this rather mild account of Buchenwald, I am not in the least sorry. I was there on Thursday, and many men in many tongues blessed the name of Roosevelt. For long years his name had meant the full measure of their hope. These men, who had kept close company with death for many years, did not know that Mr. Roosevelt would within hours join their comrades who had laid their lives on the scales of freedom.

Back in 1941, Mr. Churchill said to me, with tears in his eyes, "One day the world and history will recognize and acknowledge what it owes to your President." I saw and heard the first installment of that at Buchenwald on Thursday. It came from men from all over Europe. Their faces, with more flesh on them, might have been found anywhere at home. To them, the name Roosevelt was a symbol, a code word for a lot of guys named Joe who were somewhere out in the blue with the armor heading East.

At Buchenwald they spoke of the President just before he died. If there be a better epitaph, history does not record it.

[From the China-Burma-India Theater Roundup, Vol. III, No. 58, May 24, 1945]

FRIENDLY SEES FULL BRUTALITY OF GERMANS

(First Article M/Sgt. Fred Friendly of the 1-B Information and Education Section, is

on a tour of duty in the ETO for an intimate look-see. He'll make a report to the Theater on a variety of selected subjects when he returns. This is the first of several illuminating first-hand articles which he promised to wire to the Roundup—The Editor.)

AUSTRIA (WITH THE 11TH ARMORED DIVISION)

For this advanced column of Gen. George S. Patton's crashing Third Army, this war, unlike the last, ended on a note of hate and severe anger unequalled during this or any other war.

The 1918 Armistice saw Yanks and Jerries dashing across trenches, smoking cigarettes together and examining each other's equipment. This time, for this division, peace came at a time when the 11th Division's hatred for the Nazis had burned deeper than ever before.

For at almost the exact moment that peace terms were being prepared, advanced armored units of the division rolled up high, beautiful hills in northwest Austria and saw a sight which will live in their memories long after the horrors of the Normandy bulge and Rhine crossing have been dimmed by the passing years. For this was Mauthausen. This was Nazi butchery at its most efficient and dramatic stage. This was the Fort Mauthausen "Willow Run of Death."

HYSTERICAL CHEERS

When tanks of the 11th stormed up against the fort, high on a protective hill-top, the men were greeted by cheers so hysterical, so choked with sobs, that it was immediately obvious this was no ordinary liberation. This was a German concentration camp. As our boys walked through gates left open by SS guards, they were engulfed by thousands of Poles, Czechs, Jews, anti-Nazi Germans—men and women of 16 different nations.

Acting almost like frightened animals locked in a deserted house, their lack of a common tongue made it impossible for them to express what was in their hearts. One lean, gaunt Pole pushed his way through the crowd and, with an 11-inch grin shouted, "Thank God, you have come. I am a housepainter from Bridgeport, Conn. I am an American citizen."

YANKS' LAST LAUGH

We all laughed at the little housepainter from Bridgeport, but, believe me, it was the last laughing we did for 24 hours or more. We were then led through Mauthausen.

Premysl Dobias, a Czech who had studied in London and spoke nine languages, led the party through Mauthausen. Some of the boys could only stand the sights for a half hour and three who went the whole route vomited by the time we reached Cell Block No. 8.

This was what we saw:

We saw a high granite wall which encircled the immense camp. It was built as were the Egyptian pyramids—by human slaves. We saw a quarry a half mile away where these starved little men were whipped into carrying heavy blocks of granite. Leading to the quarry were 258 steps built by the prisoners. Each man made eight trips a day over these steps, carrying granite each time.

Well-fed, battle-toughened G.I.'s made one trip with a load, and actually gasped for breath. There was still blood on the steps. When a man could no longer carry his load, SS guards pushed him into the quarry. That's why they called the 258 steps the "Steps of Death." Prisoners said that for every rock in the prison wall—and there were thousands—there was a life.

We saw a gas chamber where prisoners died every day of every month for eight years. It was a tiled room about the size of two American bathrooms. One hundred and fifty men and women at a time were stripped and ordered to enter the room for a shower. And then, through the outlets which resembled shower fittings, came gas. Sometimes, when they were out of gas, the Nazis merely sucked the air out of the room through the same fixtures.

We saw the cremation room there. Details of Jews worked here every day. It was their job to shovel hundreds of gas victims into ovens. Each oven was approximately coffin size, but capacity was listed at six bodies. They used Jews for this detail because they were certain to die anyhow. And the Nazis did not want the thousands of other prisoners to know about their "future" lest their work in the quarry lack spirit.

We saw the initial arrival point for new prisoners to Mauthausen. Here they were stripped and chained to a wall for 24 hours, exposed to the weather, hot or cold.

We saw cell blocks in which men lived if such a word may be used for such conditions. For purposes of description, let us say the cell blocks resembled the tar paper barracks we had in the States, but just half their size. Normal capacity of these blocks was 300 human beings. It was so crowded they had to sit up all night. Their latrine facilities were just outside. They could not stray far from the cells or they would be shot. Often, after a year or so, they didn't even bother to use the outside latrines.

We saw their hospitals. There were two of them. One held 90 patients and was ultra-modern. This one they showed important visitors. The other hospital held 5,000. Wards were just like the prison blocks, except there were bunks in tiers five high.

In each bed were five human beings, each sick, half of them dying from malnutrition. Each had lost from 50 to 100 pounds. Their legs had lost all control and looked like heavy ropes. Their toilet was their bed. There were running sores on many of them. Sometimes Nazi surgeons ended their misery by squirting gasoline against their hearts.

We saw their bodies, hundreds of them. Prisoners said at times there were thousands laying around camp. We saw them piled like cordwood—big and little piles of dead. All of them were emaciated and discolored and covered with insects and worms. These were human beings. Their only crime was in not being a German.

Each cell block through which we walked suddenly came to life when the prisoners saw the tall and sturdy but very tired men of the 11th Armored. Those who were able rose to their feet and cheered, "Bravo, vive la' American!" Those who were too weak to stand clapped and smiled and tried to keep tears back.

Our doughboys were moved beyond description. None could speak Polish, Russian or Czech. So they just stood there waving their hands. Some clasped hands overhead like prize fighters. Others removed their hats, some openly wept. One G.I., through an interpreter, asked a Pole what should be done to the Germans. When we left the block, the Pole was still standing and pounding home his points. The other prisoners were still applauding.

We saw one man ask a Yank for a cigarette, and before the G.I. could reach for one, a dozen other prisoners turned on the man who asked. With all their suffering, they did not want to appear as beggars. We

asked if they had been able to follow the war and they said one hidden radio had kept them posted during the entire campaign.

The last thing we saw was a super prison block. Troopers of the SS built this for important political prisoners. Now it housed a handful of Storm Troopers who were unsuccessful in their attempts to flee the camp. They had been captured by liberated prisoners and placed in confinement.

The new warden was a Spaniard who had fought Franco and who offered to shave all Americans free. We squinted through little peepholes at the new prisoners—the "super-men." They looked like sullen, scared gangsters.

In one cell was a Nazi woman who had been secretary to the camp commander. She was a blond. She glared back at us like a tigress. You should have heard what one of the Yanks said when he saw her.

These were just some of the atrocities the Eleventh Armored Division found within the volt-charged wire confines of Mauthausen. Now the camp is being cleaned up. American medical units and medicine are being used to save as many lives as possible. Many die every day and will for some time to come. Our blood plasma already is at work, and if you want to see gratitude you should see the expressions in those people's eyes.

These are the things we saw with our own eyes. They are part of the permanent history of the 11th Armored Division. A War Crimes Committee is gathering facts. The prisoners stole duplicates of all death certificates, and they know the criminals.

As we left the hospital block, a soldier of the 11th Armored Division of the XII Corps of the Third Army stood staring at a heap of broken, twisted, mutilated bodies. After he vomited, he purposely breathed deeply of the stench of death in a manner which spoke for all. In a low and angry voice, the soldier said, "Now and only now do I know what this war was about. I am glad I saw this."

CONGRATULATIONS TO DR. PAUL CRAIG ROBERTS

Mr. KASTEN. Mr. President, I rise today to congratulate Dr. Paul Craig Roberts, professor at Georgetown University's Center for Strategic and International Studies for his recent award by the Government of France in recognition of his tremendous work in the field of economics.

He was awarded the "Chevalier of the Legion of Honor" by the French Minister of Finance, Edouard Balladur. This award began in the early 1800's and is the French Government's highest award for outstanding achievement.

Paul Craig Roberts was one of the founding fathers of what is known today as supply-side economics. His work with Representative JACK KEMP in the late 1970's and with President Reagan in the early 1980's is responsible for exposing the failures of Keynesian economics—and moving U.S. public policy toward lower tax rates, less Government spending and more stable monetary policy.

While critics continue to deride supply-side economics—I think the facts speak for themselves: 53 straight months of economic expansion; rising real after-tax incomes; reduced inflation and interest rates; and most important, the creation of 12 million new jobs since the end of 1982.

The entire continent of Europe hasn't had any net job creation since 1973.

The supply-side revolution is just beginning to catch fire in the rest of the world. Britain, West Germany, France, Australia, India and Sweden have cut their tax rates. Canada, the Netherlands, and Japan are in the process of cutting their tax rates.

Higher growth, more jobs, more investment, more savings, and more consumption in the rest of the world is the major solution to our trade problems. We can't sell products to stagnating economies.

Dr. Roberts' award is a testament to his achievements in shaping the economic policy in the United States—and in the rest of the world. Moreover, it is a recognition of the fact that good ideas do have consequences.

FULL EMPLOYMENT

Mr. KERRY. Mr. President, I join with those who wish to remind us of the importance of the Humphrey-Hawkins Act and the need to debate economic goals and policies. I will focus my remarks on the importance of maintaining full employment.

Nothing can contribute more to our economic well-being and standard of living than providing jobs at decent wages for all those who want to work. The Humphrey-Hawkins Act, and its predecessor Employment Act of 1946, serve as important statements of policies and priorities reminding us of the need to promote economic growth and full employment.

A growing economy providing jobs for our citizens will do more to balance the budget than any other measure we will debate in the Senate this week. A growing full employment economy will automatically provide more revenues as workers will have more jobs, work longer hours and at higher levels of productivity as we utilize our productive capacity more fully and more effectively. In addition, Government expenditures will be reduced as unemployment and other assistance payments are reduced when unemployed workers find jobs.

Mr. President, there is no quicker glide path to a balanced budget than the full employment route. If we could reduce the unemployment rate to 4 percent in fiscal year 1988, my back of the envelop extension of some CBO calculations suggests that without any budget actions—expenditure reductions or tax increases—we could cut the CBO fiscal year 1988 baseline defi-

cit in half from \$170 billion to \$85 billion.

Now I know we cannot get to 4 percent today but we should start the process today. My home State of Massachusetts has a strong growing economy with an unemployment rate below 4 percent. And the unemployment rate has been below 4 percent for the entire Nation at times in the past. But not the civilian unemployment rate is 6.6 percent—not 4 percent—as envisioned in Humphrey-Hawkins.

Although we may not be able to achieve full employment quickly in the present economic environment, it is imperative, that we not lose sight of the goal. It is indeed sad, Mr. President, that we forget so easily. Less than 20 years ago the unemployment rate was below 4 percent. And, believe it or not, in 1969 with the unemployment rate at 3.5 percent we had a budget surplus of \$3.2 billion.

Now I am not about to suggest that all we need to do is to reduce the budget deficit and we will reach full employment. If it were that simple we would be there now. Rather I wish to suggest that we reached full employment—at a 4-percent level of unemployment in the 1960's because we made that our goal. I know that the economic environment has changed since the 1960's—a greater portion of our population is in the work force; we face stiffer international economic competition et cetera—but you cannot reach a goal if you do not even try.

It is interesting to me that in the Kennedy-Johnson administration the unemployment rate was lower than in both the Eisenhower administration that preceded it and than in the Nixon-Ford administration that followed it. Did the economy change so it was possible, when a Democratic administration was elected to achieve full employment and then it again became impossible? No. Underlying domestic and international economic factors did not change from one administration to another. What changed when administration's changed was the commitment to full employment.

The difference in the commitment to full employment is somewhat obscured by the fact that in January 1961 when President Kennedy took office the unemployment rate was 6.6 percent. By the time the Kennedy-Johnson administration ended in January 1969 the unemployment rate had declined—almost steadily—to 3.4 percent. The significance of this steady decline is that the Kennedy-Johnson administration is unfairly blamed for—by their standards—the high unemployment rate of 6.7 percent in 1961, while the Nixon-Ford administration is unfairly credited with the low unemployment rate of 3.5 percent in 1969.

Mr. President, in this Senate Chamber we often talk about events “hap-

pening on his watch” as we assess responsibility for various events. A President is not responsible for the unemployment rate in the year he takes office. The budget is already set for the fiscal year and even if budget policies could be altered at the inception of an administration they are not likely to affect unemployment rates until the next year. If you apply this logic to the data the average unemployment rate in the Kennedy-Johnson administration is about 4.5 percent compared to 5.4 percent in the Eisenhower years and 6.3 percent in the Nixon-Ford administration.

And in the Truman administration the unemployment rate averaged about 4 percent as we tried to implement the provisions of the Full Employment Act of 1946. Based on current projections, the average unemployment rate, in the Reagan administration, will be nearly double the 4-percent target.

It does seem to me, Mr. President, that we have lost the vision of what this Nation can and must do. We can achieve full employment. We can obtain control over our economic destiny. Budget policy used to be a positive weapon for combating unemployment and promoting economic growth. By accumulating annual triple-digit deficits in this President's watch, we have lost the ability to use fiscal and budget policy as tools to achieve our economic goals.

In the Kennedy-Johnson administration with an average unemployment rate of 4.5 percent, budget deficits, even at the height of the Vietnam war build-up did not exceed 3 percent of GNP. In contrast, in the last 4 years the current administration has produced budget deficits at or exceeding 5 percent of GNP, while the unemployment rate has averaged 7.8 percent.

Mr. President, as we make difficult decisions this week in an attempt to reduce the budget deficit let us remember what we can achieve if we reach full employment. Let us get back to full employment and stay there.

TRIBUTE TO PROFESSOR GEORGE D. HAIMBAUGH, JR.

Mr. THURMOND. Mr. President, I rise to pay tribute to one of South Carolina's most outstanding law professors, Prof. George D. Haimbaugh, Jr., who is retiring from the University of South Carolina School of Law after 24 years of teaching.

Professor Haimbaugh, who currently serves as the David W. Robinson professor of law, has been teacher, advisor, and friend to many students who have earned their law degrees from the university. He is known throughout the United States for his extensive legal knowledge.

He was born in Rochester, IN, in 1916 and graduated as valedictorian of Rochester High School. He received his bachelor of arts degree from DePauw University in Greencastle, IN, his J.D. from Northwestern University School of Law, and his S.J.D. from Yale.

He has studied law and related subjects at some of the best academic institutions in the world—Georgetown University; McGill University in Montreal, Canada; Hague Academy of International Law; New York University Law School Summer Workshop; the Université Internationale in Luxembourg; and the Law and Economic Center Institute for Law Professors at the University of Miami.

He served in the U.S. Marine Corps during World War II, earning the rank of major and becoming a member of the General Court Martial Board, 13th Naval District.

He taught at the University of Akron College of Law before joining the faculty at the University of South Carolina Law School in 1963.

Through his years at the university, he has given himself generously and energetically to both campus and professional organizations. His service on faculty-student liaison committees, campus grievance committees, and other similar organizations demonstrates his interest in the quality of student life at the university.

He has devoted tireless effort to developing the academic program of the university. He has served on committees to plan curriculum, arrange for special lectures, and select faculty members. He is advisor to the Philip C. Jessup International Law Moot Court Team and the International Law Society and serves on the Institute of International Studies and the James Byrnes International Center Advisory Council.

He has been active with the American Bar Association, the Association of American Law Schools, and the American Law Institute. In 1982 President Reagan appointed him to the National Institute of Justice Advisory Board. He was also appointed to the American Bar Association Law and National Security Advisory Board.

Over the years, his legal advice has been sought by judges, State legislators, and congressional committees. He is considered a specialist in the law of mass communications and is known around the world for his expertise in the field of international law.

Mr. President, Professor Haimbaugh's contributions go far beyond this lengthy list of accomplishments. He is a favorite among law students and graduates, and only a year ago was recognized as a professor who "significantly contributed to a student's success." This year he was voted "Outstanding Professor" by the student body at the law school.

Professor Haimbaugh has always made learning relevant and interesting for his students. Each year, he brings a group of students to Washington to meet with top national leaders. Second only to his scholarship and knowledge of the law, Professor Haimbaugh's sense of humor is one of his greatest hallmarks. Throughout the law school community, he is known for having shirt-front messages which fit his lectures to a "T".

He has inspired his students to be keen observers of the law and careful initiators of change. He has given his best and demanded the best, teaching the delicate balance between freedoms and rights, justice and mercy. He has challenged his students to be creative thinkers and informed citizens.

As with any teacher, the best proof of Professor Haimbaugh's success is evidenced by the accomplishments and service of his students. Professor Haimbaugh can take great pride in the contribution and involvement of his former students who can be found among the ranks of elected officials, law school professors, and key policymakers in both State and Federal Government.

Mr. President, Professor Haimbaugh has made an invaluable contribution to the legal system of our country. I ask my colleagues to join me in sending warmest congratulations to Professor Haimbaugh and his lovely wife Kay and best wishes for many more happy years.

EDITH GREEN: MOTHER OF HIGHER EDUCATION

Mr. SANFORD. Mr. President, realism, tenacity, dedication, and independence are valued qualities in an ally. Former Representative Edith Green exemplified all these strengths in her support for education. Her death last week should be mourned not only by those of us who knew her, but by the millions of students who have benefited from her leadership, vision, and hard work.

As the second ranking member of the House Education and Labor Committee, Edith Green was widely recognized as one of the Nation's most powerful voices for education. During her 20 years in Congress, she championed Federal grants and loans for college students, the Elementary and Secondary Education Act, and equality in education.

Her experience as a teacher made her appreciate that education takes place in the classroom—not in the bureaucracy. She opposed tangling education aid up in a mass of redtape and regulations, wanting instead to show a greater respect for the judgment, commitment, and needs of teachers and other State and local education leaders.

She and I both campaigned for President John F. Kennedy and we both ardently supported his education initiatives—she as a Congresswoman, and I as Governor. In all my associations with her, she was tough, insightful, energetic, and stimulating. She challenged popular conceptions about the role of government in education and was quick to bolster efforts that worked and discard those that didn't.

Edith Green helped lay the groundwork for all the educational improvements we envision today. In her own words, we have "only scratched the surface" in providing the first-rate education our students need and deserve. Following her outstanding example of leadership, we can and should continue to seek educational excellence.

MESSAGES FROM THE HOUSE

At 3:34 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that, pursuant to the provisions of Public Law 96-114, as amended by Public Law 98-33 and Public Law 99-161, the minority leader appoints as members of the Congressional Award Board: Mr. William B. Plough of Memphis, TN, from the private sector, and Mr. Wolf, on the part of the House.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1159. A communication from the Independent Counsel investigating secret military assistance to Iran and the Nicaraguan Opposition, transmitting, pursuant to law, the first interim report on the investigation; to the Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HATFIELD (for himself, Mr. KENNEDY, Mr. DECONCINI, Mr. STAFFORD, Mr. DANFORTH, Mr. PELL, Mr. SPECTER, Mr. CRANSTON, Mr. MATSUNAGA, Mr. LEAHY, and Mr. PROXMIRE):

S. 1106. A bill to provide for simultaneous, mutual, and verifiable moratorium on underground nuclear explosions above a low-yield threshold; to the Committee on Foreign Relations.

By Mr. ROTH:

S. 1107. A bill to terminate employment of aliens in U.S. missions and consular posts in

certain Communist countries; to the Committee on Foreign Relations.

By Mr. MITCHELL (for himself, Mr. PRYOR, Mr. BRADLEY, Mr. MATSUNAGA, Mr. HEINZ, Mr. DURENBERGER, Mr. DANFORTH, Mr. GRAHAM, Mr. RIEGLE, Mr. ROCKEFELLER, and Mr. DASCHLE):

S. 1108. A bill to modify the conditions of participation for skilled nursing facilities and intermediate care facilities under titles XVIII and XIX of the Social Security Act, and for other purposes; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. CONRAD, and Mr. GORE):

S. 1109. A bill to amend the Federal Food, Drug, and Cosmetic Act to require certain labeling of foods which contain tropical fats; to the Committee on Labor and Human Resources.

By Mr. DASCHLE (for himself and Mr. PRESSLER):

S. 1110. A bill to prohibit the charging of admission fees at Mount Rushmore National Memorial; to the Committee on Energy and Natural Resources.

By Mr. METZENBAUM (for himself and Mr. DECONCINI):

S. 1111. A bill to amend the antitrust laws in order to preserve and promote wholesale and retail competition in the retail gasoline market and to protect the motoring safety of the American public; to the Committee on the Judiciary.

By Mr. SASSER (for himself, Mr. DURENBERGER, Mr. KERRY, Mr. HEINZ, and Mr. GLENN):

S. 1112. A bill to amend the Public Health Service Act to provide for the development of academic leaders in geriatrics through the establishment of centers of excellence in geriatric research and training; to the Committee on Labor and Human Resources.

By Mr. RIEGLE:

S.J. Res. 119. Joint resolution concerning the April 1986 accident at the Chernobyl nuclear powerplant in the Soviet Union; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BYRD (for himself and Mr. DOLE):

S. Res. 196. Resolution to authorize testimony by Samuel Thornton Hall and Barbara Mook in the case of "Commonwealth of Kentucky v. Geoffrey M. Young"; considered and agreed to.

By Mr. SIMON:

S. Res. 197. Resolution expressing the sense of the Senate regarding early deployment and full-scale engineering development of an anti-ballistic missile system; to the Committee on Armed Services.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATFIELD (for himself, Mr. KENNEDY, Mr. DECONCINI, Mr. STAFFORD, Mr. DANFORTH, Mr. PELL, Mr. SPECTER, Mr. CRANSTON, Mr. MATSUNAGA, Mr. LEAHY, and Mr. PROXMIRE):

S. 1106. A bill to provide for a simultaneous, mutual, and verifiable moratorium on underground nuclear explo-

sions above a low-yield threshold; to the Committee on Foreign Relations.

UNDERGROUND NUCLEAR EXPLOSIONS CONTROL ACT

Mr. HATFIELD. Mr. President, I introduce, on behalf of myself, Senator KENNEDY, Senator DECONCINI, Senator STAFFORD, Senator DANFORTH, Senator PELL, Senator CRANSTON, Senator MATSUNAGA, Senator LEAHY, and Senator PROXMIRE, a bill to provide for a simultaneous, mutual and verifiable moratorium on underground nuclear explosions above a low-yield threshold.

Mr. President, on February 3, the Nevada desert shook from the force of the first underground nuclear test of 1987. With a yield of 20 kilotons, the test itself was not particularly significant—but its implications were very profound: That explosion brought to an end the unilateral Soviet moratorium on testing. On February 26, the Soviets blew off their first underground nuclear test in 19 months.

Three times the Soviets extended their moratorium. Three times the administration ignored the opportunity. And three times the U.S. Senate remained silent.

Mr. President, the day the Soviets ended their moratorium seemed to represent yet another one in a long line of missed opportunities for meaningful and verifiable arms control.

But I believe that, with a little courage, we can change all that.

I wish to say that Senator KENNEDY, as the chief cosponsor of this bill, has been a long time leader in matters relating to arms control and, particularly, comprehensive arms control. I am delighted today that we have a strong bipartisan proposal here. It is designed to impose—for 24 months—a mutual and verifiable moratorium on virtually all underground nuclear testing. It represents what we believe to be the beginning of a realistic and substantive approach to the most awesome challenge in history.

Mr. President, this bill is based on the one passed several times by our colleagues in the House. It cuts off funding for underground testing above 1 kiloton not for 12 months as theirs does, but for 24 months provided that the Soviets do not test. It employs seismic monitoring, and it requires each side to designate a single test site for any explosions under the 1 kiloton limit.

But this bill goes further. It allows an exception for two nuclear warhead reliability tests on each side in 2 years. In addition to seismic monitoring, it demands the use of a Cortex device to calibrate the designated test sites. Accordingly, it allows 6 months for the implementation of verification and monitoring arrangements. It requires onsite inspection upon demand. And it holds the President to the intent of the moratorium by putting a congressional check on his ability to avoid the

cutoff by simply claiming that the Soviets will not accept adequate verification procedures.

Despite all the rhetoric about good faith negotiations and commitment to arms control, it is now more clear than ever before that the administration has no intention of giving an inch in its frenetic arms buildup.

We should have no delusions about the administration's view of a testing moratorium: it has been clear from the day the Soviets first announced their moratorium. The official United States response to the Soviet moratorium was to issue an invitation to witness several blasts in Nevada. So much for good faith, so much for commitment to arms control.

As month after testless month passed, the administration discovered itself in the midst of a public relations nightmare. Maybe we can diffuse the issue, they thought. Faced with a defense authorization bill in conference which included a House-passed funding cutoff for its precious tests, the administration did some late night finagling: by agreeing to send the Threshold Test Ban and the Treaty on Peaceful Nuclear Explosions up for ratification, administration convinced the conferees to drop the House language.

So we now find ourselves sidetracked by an inane debate over whether a 150 kiloton limit—a limit both countries have been respecting for years—can be verified. And the opportunity within reach for those 19 months is about to slip away without even so much as a vote in this body.

The administration has spent countless hours and vast resources distracting us from the real issue: If it is mutual and verifiable, what harm would a limited moratorium on underground nuclear testing really do?

For too many months, we have given the administration political cover. We have talked long into the night about verification procedures, negotiating room, and stockpile reliability requirements. But we have refused to engage in a substantive debate over the real issue: Whether or not a mutual testing pause is a good idea—whether it constitutes an acceptable risk—whether we can afford to let the opportunity slip through our fingers.

It is not so surprising that we have not faced the real issue. We rarely do. Oh, we like to talk about ridding the world of the nuclear threat. It is the stuff great speeches are made of. But when it comes to vote, we manage to get our consciences off the hook by cutting a deal. Condition the money on some vague Presidential certification, or cut the budget request. And then we go home and talk about how 50 MX missiles instead of 100 really is arms control.

Whatever our excuse—window of vulnerability, missile gap, negotiating

room, bargaining chip—it always means that we will just have to wait until tomorrow. After we build the MX. After we build Midgetman. And now, the best of all, after we build star wars.

The truth is that we can only say tomorrow so many times, but still we avoid the issue.

Mr. President, we can no longer rationalize our silence. Not this time. This time we have legislation which demands an up or down vote on the merits of the issue, on the merits of a mutual and verifiable moratorium on the testing of nuclear weapons.

No longer can we rationalize our silence by claiming that the moratorium cannot be verified. Unlike the version of this bill which was passed overwhelmingly by the full House twice in the last year, this legislation includes the administration's own requirement—the onsite device commonly referred to as Corrtex. That is, of course, in addition to seismic monitoring which has proven wholly effective for monitoring blasts under 1 kiloton.

No longer can we rationalize our silence by claiming that a moratorium would undermine the President's negotiating room in Geneva. Under this legislation, the moratorium would end if the United States and the Soviet Union reached an agreement establishing cuts in the number on yield of underground nuclear tests. If anything, Mr. President, this legislation gives the President and his negotiators more negotiating room by bringing a desperately needed sense of trust and cooperation to the bargaining table.

And no longer can we rationalize our silence by claiming that testing must continue to insure reliability. By the administration's own admission, only one test was conducted in 1986 for that purpose. So included in this legislation is an exception for two reliability tests under the 15-kiloton limit. Of course we cannot know with certainty that the Soviet's reliability tests are not modernization tests in disguise, so the bill specifically allows one test on either side each year for reliability or other purposes. While we hope that both the United States and the Soviet Union would limit their tests to reliability purposes only, this legislation effectively permits the United States to conduct any type of tests it desires.

I thought long and hard about that last point: reliability testing. Mr. President, my opposition is to nuclear testing. All testing—United States and Soviet. Each individual test is a moral blasphemy, an offense to humanity. My name has been consistently on the list of those supporting the immediate negotiation of a Comprehensive Test Ban Treaty. I am a cosponsor of legislation introduced by Senators CRANSTON and WIRTH to stop all testing over a kiloton, and I would vote for an

amendment to delete this exception from my own bill.

But the real issue here is weapons development, weapons development that fuels the arms race and threatens the future of our planet. That, and that alone, is what testing is all about. And the truth is that a reduction in testing—a reduction down to two tests over a kiloton in 2 years on each side—will slow that runaway train. For 2 years, no new weapon system will be created. That, Mr. President, is the bottom line: For 2 years, no new weapons of mass destruction will be created as a result of testing on either side.

Let me read to you from a letter written to me recently by a high school student in Oregon:

I don't think it's fair for people who never had a chance to say anything about these weapons to get blown up by them. This generation is killing the next one.

Mr. President, we must face that issue. This legislation offers us an opportunity to do just that. Gone is the political cover, the debate over verification, the debate over negotiating room, and the debate over reliability testing. What remains is the issue of a mutual moratorium on underground nuclear testing. What remains is the issue of a 2-year freeze on the creation of new weapons of destruction.

The Soviets recently broke out of their unilateral testing moratorium. And I can already hear the latest administration argument: How can we propose a test moratorium to a country that is currently testing? But the answer is very simple—if they were serious the first time, they can be serious again.

Of course it is conceivable that the Soviets were bluffing all along. It is hard to believe that they stopped all testing for 19 months for the sake of a bluff, but maybe they did. Maybe they knew what a great public relations ploy the moratorium would become, and how bad it would make us look around the world. Maybe they knew all along that the administration would never go along with the moratorium, and that Congress lacked the political will to force the issue.

So what if they were bluffing? Let's call them on it. Let's see what cards they are holding. If the Soviets make one false move, the deal is off.

By agreeing to engage in a moratorium for 24 months and demanding strict verification procedures, we will find out once and for all just what the Soviets had in mind all those months.

Do we have the courage to explore whether maybe, just maybe, they were serious? That possibility—not verification, not negotiating room, not reliability—is what really scares opponents of this initiative. Listening to all the arguments, one gets the sneaking suspicion that opponents of a test moratorium are terrified of the day

that arms control moves from rhetoric to reality.

Mr. President, I can imagine a scenario several months after Congress has taken the historic step of passing this legislation: desperate to avoid a funding cutoff for those precious tests, the President tells Congress that the Soviets are just not willing to accept adequate verification and monitoring arrangements. The deal is off, business as usual. Right? Wrong. This legislation spells out exactly what verification and monitoring arrangements are necessary. Exactly. And the Soviets have either implemented them or they haven't. So when the President sends us a certification that the Soviets won't do what is necessary, we will have an objective standard by which to judge its validity. If we agree, if the Soviets really were bluffing after all, the deal is off. But if we do not agree, the moratorium stays in effect for 24 months or until such time that the President can certify to Congress that the Soviets have violated the moratorium.

We have put arms control off until tomorrow too many times, compulsively gambling our future away. She has smiled upon us so far, Mr. President, but Lady Luck has a way of turning on those who depend on her most. And God help us the day that she does, because in this compulsive game the stakes have never been higher.

Listen for a moment to the words of one of this country's great statesmen, George Kennan:

This civilization we are talking about is not the property of our generation alone. We are not the proprietors of it; we are only the custodians. It is something infinitely greater and more important than we are. It is the whole; we are only a part. It is not our achievement; it is the achievement of others. We did not create it. We inherited it. It was bestowed upon us; and it was bestowed upon us with the implicit obligation to cherish it, to preserve it, to develop it, to pass it on—let us hope improved, but in any case intact—to the others who were supposed to come after us.

Mr. President, this legislation will not end the arms race nor will it insure our future commitment to arms control. What it will do is offer us all—the Soviets, the Americans, and the literally billions of people in between who are now held hostage to the insanity of this arms race—a glimmer of hope that maybe tomorrow begins today.

It is hard to imagine what harm that would really do.

I urge my colleagues to take very careful note of this bill as they will receive a copy of it, and will be invited to join in the cosponsoring of what I consider to be a very historic piece of legislation.

By Mr. ROTH:

S. 1107. A bill to terminate employment of aliens in U.S. missions and

consular posts in certain Communist countries; to the Committee on Foreign Relations.

TERMINATION OF EMPLOYMENT OF ALIENS IN U.S. MISSIONS IN CERTAIN COMMUNIST COUNTRIES

● **Mr. ROTH.** Mr. President, today I introduce a proposal that will complement and complete the package of counterespionage legislation which I and Senator DOLE introduced on April 8 and 9. The bill I am introducing would limit the vulnerability of our U.S. Embassy personnel in diplomatic missions within the Soviet-dominated Eastern European bloc nations. We have recently witnessed, with the Marine spy scandal in Moscow, just how far the Soviets will go to entrap our citizens and coerce them into committing acts of espionage. Mind you, I am not suggesting that the individuals who are alleged to have been involved are blameless, but I am suggesting that we take all possible steps to make sure that this does not happen again.

My bill would reduce the numbers of foreign nationals employed in American embassies in the Soviet-dominated Eastern European bloc nations. The reduction would be based on the principle of reciprocity. In other words, we would employ foreign nationals in our embassies at no greater percentages than these nations employ American citizens in their embassies. This reciprocal treatment should be the minimum acceptable standard applied to the Warsaw Pact nations, given the emphasis of the Foreign Missions Act of Reciprocity.

National security must be the foremost consideration when we negotiate the terms and conditions of our diplomatic establishments, though this has simply not been the case. For example, there are no Americans working in the Bulgarian Embassy in Washington, DC, while there are 31 Bulgarians working in the American Embassy in Bulgaria. The State Department reports that the United States currently employs 371 aliens in our embassies in Eastern bloc countries, while the Eastern bloc embassies here in Washington report a grand total of zero U.S. citizens employed. What is the reason for this? Is our foreign service that much less adept than the Bulgarians at mastering the language and cultural understanding necessary to run an embassy?

Of course I refuse to believe this. We may need to provide additional training, and this will mean additional costs. But in my view, the additional cost is a small price to pay to shore up the eroded security in our embassies.

If there is a lesson to be learned from recent events in Moscow, it is that aliens working in our embassies will take advantage of their access to our people. Are we justified in singling out the Eastern bloc nations in this bill? Given the Soviets' recorded pat-

tern of farming out espionage tasks to these nations, the answer must be yes.

As I said on April 8 when Senator DOLE and I introduced a package of espionage bills, the Soviets exercise a powerful influence on the bloc nations. In fact, it has recently been reported that several additional marines have recently been relieved of duty from their embassy posts in various Eastern Europe countries because of their unauthorized social contact with women there. The full extent of these contacts are currently under investigation. In any event, it is clear that the Soviets use their Eastern bloc satellites to serve the Soviet interest.

I anticipate that State Department bureaucrats will raise the usual objections to elimination of alien personnel in our embassies in Eastern bloc countries—that without foreign national employees our embassies would turn into closed fortresses without enough contact with the local populace; that local employees provide insight into local culture and politics; that such employees are better at dealing with local bureaucratic problems. These are, or course, the same arguments that were made regarding Soviet employees in the Embassy in Moscow prior to the recent spy scandals there. Those who advanced these arguments proved to be shortsighted. We ought to reject similar arguments regarding the Eastern bloc countries.

Our Western allies have had no trouble operating their embassies without the vast number of host country nationals that our State Department employs. According to the April 22, 1987, New York Times, while West Germany, France, and Britain hire an average of one local employee for every three of their own officials, the average number of local employees at American posts far exceeds the number of Americans. In some of our embassies in the Eastern bloc, there are currently more aliens than Americans employed. How can security possibly be assured under such circumstances? The truth is that it cannot be.

It may be argued that this bill will offend the host governments in the designated Eastern bloc countries. It will almost assuredly offend members of our own foreign service corporation. In my view, we need to start sending a few strong signals in both these directions, that we are serious about our security. There are some things, our national security being one of them, that are worth the price of a few ruffled diplomatic feathers.

I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1107

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That (a) notwithstanding any other provision of law including any international agreement, that beginning thirty days after the date of enactment of this Act the percentage of aliens employed by any U.S. diplomatic mission and consular post in a Warsaw pact country shall not exceed the percentage of American nationals employed by the Diplomatic mission and consular posts of such country in the United States.

(b) The prohibition on employment of aliens set forth in subsection (a) shall not apply if the Secretary of State determines and so certifies to the Congress that admission of additional foreign nationals in any U.S. diplomatic missions and consular posts in any of the aforementioned countries is essential to the operation of the U.S. mission in that country.

(c) For the purposes of this Act, the term "employed" means any person required on a daily basis in the course of the performance of services to spend a substantial amount of time on the premises of the mission or post.

(d) For the purposes of this Act the term "member of any diplomatic mission or consular post of the U.S." is used within the meaning of Article 1(c) of the Vienna Convention on Diplomatic Relations, done on April 18, 1961, and the meaning of Article 1(g) of the Vienna Convention on Consular Relations done on April 24, 1963.

(e) For the purposes of this Act a "Warsaw Pact" country shall be defined as Bulgaria, East Germany, Czechoslovakia, Hungary, Romania, the Soviet Union and Poland.

By Mr. MITCHELL (for himself, Mr. PRYOR, Mr. BRADLEY, Mr. MATSUNAGA, Mr. HEINZ, Mr. DURENBERGER, Mr. DANFORTH, Mr. GRAHAM, Mr. RIEGLE, Mr. ROCKEFELLER, and Mr. DASCHLE):

S. 1108. A bill to modify the conditions of participation for skilled nursing facilities and intermediate care facilities under titles XVIII and XIX of the Social Security Act, and for other purposes; to the Committee on Finance.

MEDICARE AND MEDICAID NURSING QUALITY CARE AMENDMENTS

● **Mr. MITCHELL.** The Federal Government plays an important role in ensuring that the more than 1 million persons residing in Medicare and Medicaid certified nursing home are treated in a caring manner and with respect. The recent results of the National Nursing Home Survey, conducted by the National Center for Health Statistics, reveals that this population is increasingly more frail and impaired.

Before Congress established basic standards for certification of nursing homes providing care under the Medicare or Medicaid Programs, there were numerous, highly publicized instances of abuse of residents or of preventable loss of life in fires or other accidents in nursing homes. Legislation, in 1967, focused on developing standards for life and safety codes to prevent the most flagrant abuses and actual loss of life. But clearly the quality of care

does not depend solely on the safety of the building in which a nursing home resident lives.

Since then a number of nursing homes, including many in Maine, have proven that nursing homes can provide care that is sensitive, respectful, and comprehensive. Despite this progress the evidence of continued substandard care in a substantial number of nursing homes has continued. Much of the evidence, however, was not well substantiated. In 1983 Congress requested that the Institute of Medicine conduct a study to document, in a careful, scientific manner, problems existing in the care of persons in nursing homes.

The report, which was received in April of 1986, lists over 30 articles in scientific journals and reports by State legal offices documenting poor quality care in a significant number of nursing homes. I would like to quote just a brief portion of the Institute's final report.

There is a broad consensus that government regulation of nursing homes, as it now functions, is not satisfactory because it allows too many marginal or substandard nursing homes to continue in operation. The implicit goal of the regulatory system is to ensure that any person requiring nursing home care be able to enter any certified nursing home and receive appropriate care, be treated with courtesy, and enjoy continued civil and legal rights. This happens in many nursing homes in all parts of the country. But in many other government-certified nursing homes individuals receive very inadequate—sometimes shockingly deficient—care that is likely to hasten the deterioration of their physical, mental and emotional health. They also are likely to have their rights ignored or violated, and may even be subject to physical abuse.

Later in the report it states:

Providing consistently high quality care in nursing homes to a varied group of frail, very old residents, many of whom have mental impairments as well as physical disabilities requires that the functional, medical, and psychological need of the residents be individually determined and met by careful assessment and care planning steps that require professional skill and judgment. The process must be repeated periodically and the care plans adjusted appropriately. Not all nursing homes have enough professional staff who are trained and motivated to carry out these tasks competently, consistently and periodically. Care is expensive because it is staff intensive. To hold down costs, most of the care is provided by nurses aides, who in many nursing homes are paid very little, receive relatively little training, are inadequately supervised, and are required to care for more residents than they can properly serve.

There has been widespread agreement with the finding and recommendations of the Institute. Especially of note has been the effort of the "Campaign for Quality Care in Nursing Homes." This effort at reaching consensus on the key issues involved in nursing home quality assurance has been led by the National Citizens Coalition for Nursing Home Reform. That

group was joined by over 20 organizations representing industry, consumers, nursing home employees and professionals involved in nursing home care.

Last week, at a briefing sponsored by Senator PRYOR on the occasion of National Nursing Home Residents Day, the coalition presented its recommendations. The degree of agreement on the basic actions needed to improve the quality of care in nursing homes was truly remarkable. The legislation that I am introducing today builds on the efforts of the Institute of Medicine and that of the coalition. I believe Congress has proceeded in a very careful and responsible manner in addressing this issue. Clearly it is now time for us to enact the changes that have been so thoroughly and comprehensively discussed and debated.

Our bill requires training and testing of all nursing aides, and a well-defined program within the nursing home that addresses the quality of care and quality of life of the residents. Additional provisions establish a careful plan for the evaluation of resident needs, address the use of requiring deposits or extra payments as a means of discriminating against Medicaid and Medicare recipients, and prohibits the discharging of residents without adequate reason or warning. In addition the measure also phases in 24 hour coverage by licensed nurses with a waiver for those facilities that are unable to hire a sufficient number of nurses to meet the requirement.

The legislation would also establish a program of grants to nursing homes of up to \$25,000 for innovative projects related to improvements in patient care. These grants would be available, on a competitive basis to nursing homes alone, or in cooperation with other organizations. Finally the bill would establish a National Commission on Long-Term Care. This commission, which would consist of representatives of citizen, industry and professional groups, would provide an ongoing forum for advising Congress and the administration on issues related to access, payment and quality of care for nursing homes and home care providers.

In more detail the bill would:

1. PROFESSIONAL STAFFING

Current: Skilled nursing facilities (SNFs) are required to have 24 hour coverage by a licensed nurse (either a registered nurse (RN) or licensed practical nurse (LPN)) and to have at least one RN on staff. Intermediate Care Facilities (ICFs) do not have to have 24 hour coverage. Because of variability in state criteria for ICFs and recent evidence that nursing home patients are more impaired at every level, it is felt that the ICFs should meet the SNF requirement in this area.

Proposed: Required ICFs provide 24 hour coverage by licensed nurses (RN or LPN) and at least one RN on each day shift. This provision would be phased in by size of facilities (over 120 beds by Oct. 1988, over 60

beds by Oct. 1990 and all others by Oct. 1992).

Current: SNFs are required to provide social work services but may assign the duties to persons other than trained social workers. In many cases discharge and care planning are inadequate because of the lack of professional training of such substitution.

Proposed: Requires social worker (either bachelor or masters level) for skilled facilities over 120 beds.

2. PATIENTS' RIGHTS

Current: Patient Rights are contained in regulation but they are not a "condition of participation". Thus facilities that violate patient's rights cannot be made to correct the violation.

Proposed: Elevates patients rights to a "condition of participation" and requires that nursing homes notify residents of their rights.

3. DISCRIMINATION AGAINST MEDICAID PATIENTS

Current: Some facilities may refuse admission to patients unless residents agree not to apply for Medicaid coverage in the future or agree to pay an up-front "contribution" to the facility.

Proposed: Prohibits nursing homes from requiring patients to waive their rights to Medicare or Medicaid and from demanding or accepting deposits or other prepayments as a condition of a patients admission or continued stay.

4. TRANSFER/DISCHARGE PROTECTION

Current: Some instances have been noted where facilities have discharged patients from the facility because they were apparently too active on behalf of resident rights or converted from self-pay to Medicaid.

Proposed: Prohibits nursing homes from discharging patients except for non-payment, medical need, or when a danger to other patients.

5. RESIDENT ASSESSMENT

Current: There is no standard assessment of residents after they are admitted to the nursing home. This often means that no one in the facility has an accurate, objective picture of the resident's needs.

Proposed: Requires that an assessment, coordinated by a registered nurse which includes cognitive, physical and social functioning be done on each resident on admission and when a significant change in status occurs. The Secretary must define a minimum data set which must be included in the assessment.

6. NURSE AIDE TRAINING AND TESTING

Current: There is no provision that nursing aides, who supply the majority of direct patient care in the nursing home, have any training or testing of competency.

Proposed: Specifies that each nursing aide have at least 100 hours of training including instruction in psychosocial aspects of care. Competency based testing would be done before the aide could assume direct patient care responsibilities.

7. QUALITY OF CARE/QUALITY OF LIFE

Current: Nursing home surveys are often based on measures that focus on record keeping or characteristics of the facility itself, rather than on the quality of services or life of the residents.

Proposed: Nursing homes would have to provide services in such a manner as to ensure quality of care and to enhance, to the degree possible the quality of life of the resident.

8. QUALITY ASSESSMENT AND ASSURANCE

Current: There is no requirement for a quality assurance program.

Proposed: Each nursing home would be required to have an active program of quality assessment and assurance including review of the use of medications, the occurrence of infections and pressure ulcers and patient complaints and grievances.

9. GRANT PROGRAM FOR INNOVATIVE PRACTICES

Would provide small grants (max \$25,000) to nursing home alone or in conjunction with other health care organizations, that were directed towards projects that would enhance the quality of life or quality of care of nursing home residents. Funds from Hospital Trust fund would be available for three years at 2 million dollars per year.

B. Changes in Survey and Certification requires the Secretary of Health and Human Services:

1. To provide for Federal inspection and certification of state facilities (at present states survey state homes which is often a conflict of interest);

2. To set Federal minimum standards for qualification and training of personnel participating in survey and certification (and states);

3. To define the scope of services covered by Medicare;

4. To promulgate standards for state performance on surveys, the content of surveys and for the performance of states in survey and certification activities;

5. To conduct Federal validation surveys on at least a 5-percent sample of nursing homes;

6. To consolidate Federal codes relating to Medicare and Medicaid regulation of nursing homes;

7. To provide a standardized protocol for state and Federal surveys; and

8. To implement a procedure for court appointed receivership and a directed plan of correction for Federal surveys (currently the Secretary has only the choices of de-certifying a facility or doing nothing).

Requires States:

1. To make data related to the calculation of nursing home reimbursement rates public, and both states and nursing homes to make survey and cost reports public;

2. To develop agreements with the state designated ombudsmen program;

3. To implement court appointed receivership, a directed plan of correction and one other "intermediate" sanction (as with the Secretary, in many states the choice is either to do nothing or to "terminate" the provider).

4. To have a special survey team, with appropriate legal and health care training to focus on facilities that are chronically and seriously out of compliance with regulations;

4. To do surveys on an unannounced basis between 9 and 15 months after the prior survey; and

6. To conduct extended surveys in facilities that have serious and repeated violations.

C. Commission on Long-Term Care:

Establishes a long term care commission, modeled after the Prospective Payment Advisory Commission, to advise Congress on reimbursement, staffing and discrimination issues related to nursing home and home care provision under Medicare and Medicaid. Secretary to provide "such funds as necessary" from Hospital Trust Fund.●

● Mr. PRYOR. Mr. President, I am proud to join the distinguished Sena-

tor from Maine [Mr. MITCHELL] in sponsoring legislation to improve the quality of care delivered in nursing homes throughout the country under the Medicare and Medicaid Programs. I want to commend the chairman of the Finance Committee Subcommittee on Health for his leadership in this area and for the efforts of his staff, particularly Greg Pawlson, in developing this important legislative package.

My interest in issues affecting the elderly, and particularly those individuals who reside in nursing homes, goes back to my days in the House of Representatives. In 1982 I joined with a number of my colleagues in protesting the Health Care Financing Administration's [HCFA] efforts to water down the guidelines governing the survey and certification process for intermediate care facilities [ICF] and skilled nursing facilities [SNF] participating in the Medicare and Medicaid programs. The Congress delayed implementation of the regulations until the results of a study by the Institute of Medicine [IOM] of the National Academy of Sciences was completed and submitted; the study was to be used as the "basis for adjusting Federal, and State, policies and regulations" for nursing homes.

In April of 1986 the IOM report "Improving the Quality of Care in Nursing Homes" was published, which generated renewed interest in nursing home quality. Congressional hearings and investigations were held, and nursing home issues were once again widely discussed in health care circles. In fact, the Congress was close to enacting comprehensive nursing home quality reform legislation at the end of the 99th Congress; final action was impossible due to the early adjournment date. But perhaps the most significant development in this area was the "Campaign for Quality Care" which was organized by the National Citizens' Coalition for Nursing Home Reform.

The coalition was able to bring together representatives of 20 organizations interested in nursing home issues to develop a consensus reform package. This list of organizations involved is truly impressive—groups representing the interests of consumers, for-profit and nonprofit providers, health care professionals, union organizations, and aging advocacy associations all participated in this historic consensus-building process.

Last Friday I hosted a forum on nursing home issues which was organized by the Citizens' Coalition, and which consisted of presentations by representatives of 12 of these organizations of the consensus positions on nursing home reform which were supported—in one form or another—by nearly 50 interested organizations. I was stunned by the response, and by the willingness to work together that

was shown by these groups. I can honestly say that I've never seen anything quite like it, and that there seems to be a stronger consensus than ever before for action in this area. I have never been more encouraged or hopeful for meaningful nursing home reform; it is clear that the time is at hand for the Congress to act in this area.

The legislation being introduced today closely parallels a package which the Finance Committee approved toward the end of the last congressional session, and has many of the elements recommended by the Institute of Medicine and the Coalition's Campaign for Quality Care.

The Subcommittee on Health of the Senate Finance Committee is scheduled to hold a hearing on the legislation today, and it is my hope that in the coming months we will see Finance Committee action on this bill. It is certainly one of my greatest interests in the health care area, and I know that a number of my colleagues share this interest. I would urge all Senators to lend their support to our efforts.

● Mr. HEINZ. Mr. President, I am pleased to join Senator MITCHELL in cosponsoring this legislation to upgrade the quality of nursing home care in the United States. This legislation is a significant first step to protect and enhance the lives of one and a half million elderly Americans living in long-term care facilities. But I would like to offer more than my support for this bill. In the next couple of months, new studies and data I have requested may suggest the need for additional action by this body. I look forward to working with Senator MITCHELL to find ways to further improve nurse staffing, and to toughen our stance toward those who would violate minimum health and safety standards designed to protect our most vulnerable citizens.

In addition, Mr. President, I would like to provide some historical context to establish the wisdom of Senator MITCHELL's legislation. In May 1982, HCFA proposed changes in regulation of nursing homes that would have eased annual inspection and certification requirements. The proposed deregulation of nursing homes was met with a storm of public protest. The Senate Special Committee on Aging, which I chaired at that time, held hearings which revealed the deregulation proposals were ill-advised. Congress subsequently blocked implementation of these proposed rules, and mandated a special Institute of Medicine study to determine the appropriate role of the regulatory process in ensuring high quality nursing home care. Senator MITCHELL's legislation is an impressive effort at implementing

the findings of that national study of the regulatory system.

In 1984, while chairman of the Senate Special Committee on Aging, I directed the staff to conduct a 2-year investigation of problems related to quality, cost and access to long-term care for our Nation's elderly.

The committee's investigation revealed numerous problems with the quality of services provided to nursing home residents, discrimination against the impoverished on Medicaid, and enormous cost burdens which bankrupt all but the wealthiest in nursing homes. Evidence of this crushing burden is the fact that as many as half of all Medicaid supported nursing home residents were admitted to facilities as private paying patients.

Our investigation made it all too clear that Federal and State governments have not fulfilled their responsibility to ensure that nursing home residents are provided proper care. While we have come a long way in improving the physical facilities in nursing homes, we have only scratched the surface when it comes to ensuring high quality care. Thousands of patients still suffer from physical and mental abuse, poor nutrition, inadequate nursing care and general neglect that we hoped had been corrected long ago.

We found that existing Federal and State enforcement policies are so lacking that in 1984 and 1985 over one-third of the Nation's skilled nursing facilities—those certified to care for the sickest patients—failed to comply with the most essential health, safety, and quality standards of care. Nearly a thousand of these homes fail to meet the basic standards year after year, providing clear evidence that monitoring is lax and existing sanctions are ineffective.

The committee investigation also found that low-income elderly have difficulty in obtaining access to nursing home services. We learned, not surprisingly, that under the current Medicaid reimbursement system the poorest patients with the greatest health needs faced the most insurmountable barriers in gaining access to nursing home care. As a result, thousands of impoverished elderly are unable to find a nursing home bed. With the millstone of Medicaid around their neck, these low-income elderly are subjected to stringent pre-admission screening and are told that the home simply cannot afford to accept them. Private-pay patients go to the head of the line because they can be charged more even if they need less care.

Mr. President, I am troubled by reports that some State Medicaid programs are inadequately reimbursing nursing homes, in violation of Federal law. The General Accounting Office has confirmed that the Federal Government has done little to enforce

statutory assurances that reimbursement be adequate for high quality care. At the same time, elderly patients are being discharged quicker and sicker from hospitals to nursing homes. This has shifted the burden of subacute care to long-term care facilities, requiring these facilities to give a level of care for which they are no longer inadequately staffed and reimbursed. These conflicting trends strongly suggest the need for improved Federal attention to nursing home reimbursement.

Mr. President, Senator MITCHELL, Senator PRYOR, and I have been working with the nursing home industry and consumer advocates to develop a comprehensive nursing home reform bill. I am pleased that this bill incorporates most of the key provisions from legislation I introduced last year. To avoid unnecessary duplication of effort, and recognizing that the coalition of groups working on this issue have come a long way in the past 6 months, I am not planning to reintroduce my own comprehensive bill this year. As new research on this subject becomes available, however, I may offer additional language addressing problems with enforcement of standards, access to care, and nursing services. I am developing specific proposals on these issues that I hope we can address in subsequent hearings and during markup of this bill in the Finance Committee.

In closing, Mr. President, I urge my colleagues to support Senator MITCHELL's Nursing Home Quality Reform Act of 1987.●

By Mr. HARKIN (for himself, Mr. CONRAD, and Mr. GORE):

S. 1109. A bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling of foods which contain tropical fats; to the Committee on Labor and Human Resources.

TROPICAL OILS LABELING ACT

Mr. HARKIN. Mr. President, today I am introducing what is now known as the Tropical Oils Labeling Act of 1987.

Mr. President, this legislation takes a significant step in helping American consumers make more fully informed decisions about diet and health. This bill is a companion to H.R. 2148, introduced in the other body by Congressman GLICKMAN of Kansas.

Over the last several years, consumers have been encouraged to modify their diets to lower their cholesterol intake by switching from animal fats, which are high in dietary cholesterol, to vegetable oils, which contain no dietary cholesterol, and which are generally lower in saturated fats.

Current food labeling laws permit highly saturated tropical fats, such as palm, palm kernel, and coconut oils, to be labeled as "vegetable oils," even though they contain up to twice the saturated fatty acid content of lard.

All three tropical oils may invite heart disease by raising blood cholesterol levels. Yet they are found in hundreds of food products ranging from cereals to frozen fried potatoes. Some of these products make claims of no cholesterol and many boast made with 100 percent vegetable shortening. The unsuspecting consumer, accustomed to thinking of all vegetable oils as healthful, is easily misled by this kind of labeling.

According to a recent survey by the American Heart Association, 54 percent of the primary shoppers in American households rely on nutrition and product labeling for information on the nutritional content of food they buy on the shelf. Thus, comprehensive labeling information is a significant step in educating consumers and in reducing saturated fat intake.

Specifically, the bill that I am introducing with the cosponsor of Senator CONRAD of North Dakota would first of all require the labeling of foods which contain palm, palm kernel, or coconut oil to indicate specifically which oil is contained in the food. The use of the words "and/or" and "one or more of the following" would not be allowed if a product contains a tropical oil.

The bill will require the words "a saturated fat" to follow the names palm, palm kernel, or coconut oil in ingredient lists of products containing tropical oils.

And it will require the label of foods which contain palm, palm kernel, or coconut oil and which include a claim that the food contains or is prepared with vegetable shortening to:

Identify on the label which of the tropical oils is contained in the food and follow the name of the oil with the statement "a saturated fat," and

List the fat content and saturated fat content of the food per serving.

Mr. President, this chart will give, I think, a graphic illustration of why consumers are now confused and why this is necessary that we have proper labeling as to what kind of oils are being used in the preparation of food. This chart lists 12 of the most popular so-called vegetable oils that are used now in the food industry.

The yellow portion indicates how much saturated fat there is in that oil. The blue indicates how much of the monounsaturated fat is in there and the green illustrates how much of the polyunsaturated fats.

Obviously we know from various studies that it is the saturated and monounsaturated that are bad for your heart and bad for your arthritis. It is the polyunsaturated that are the most favorable.

If we look we see, for example, that safflower oil contains 78 percent of polyunsaturated. Almost all of the fat in safflower oil is polyunsaturated. Only 9 percent is saturated.

Corn oil, for example, is 62 percent polyunsaturated, only 13 percent saturated. Soybean oil and peanut oil are all about the same, high in polyunsaturated and low in saturates.

Mr. President, look over here on this side and you will see lard, animal fat, is 41 percent saturated, 12 percent polyunsaturated. Look what is even worse than that, palm oil, 51 percent saturated fat. Here is palm kernel oil, 86 percent saturated fat, only 2 percent polyunsaturated; and here is coconut oil, the most popularly used oil of all, coconut oil, 92 percent saturated fat.

In other words, for every one tablespoon of coconut oil that you consume, you would have to consume two tablespoons of lard.

How many American consumers go out there on the shelf and they buy a product that says all vegetable oils used, contains no cholesterol, and yet it is made with coconut oil. They would be better off buying something made out of lard than something made out of coconut oil.

That is why it is so necessary for this piece of legislation that we give the consumers the information they need when they buy those products to know just what kind of oil they are getting.

We know that coronary heart disease is the No. 1 killer in the United States responsible for more than 550,000 deaths each year, more than all forms of cancer combined. Saturated fats, by tending to raise blood cholesterol levels, increase the risk of heart disease. Yet, there is another important dimension to this bill that I have to mention.

From 1984 through 1986 the use of palm oil more than doubled in this country, from 370 million pounds to 780 million pounds; coconut oil increased from 904 million pounds to 1.1 billion pounds. The combined 1986 imports of these two oils was nearly 2 billion pounds; equivalent to the soybean oil production from 173 million bushels of soybeans. During this same 1984-86 period, oil produced from sources grown in this country either lost ground in domestic use or enjoyed only small increases.

Mr. President, this bill has a double effect. No. 1, it is in the best interest of good health for all Americans. It will let consumers know what is in those packages of food that they are buying and, second, it will also help our domestic producers. Our domestic producers are not going to coconut oil or palm kernels oil or palm oil. They are producing sunflower oil, safflower oil, corn oil, soybean oil, and peanut oil all of which is much more healthy for the American consumer than the imported tropical oils.

Mr. President, I want to thank my colleagues, the distinguished Senator from North Dakota for cosponsoring

the legislation. I invite other Senators to cosponsor it.

Again I think it is in the best interest of not only the agriculture community but health and well-being of all American citizens to know what they are buying.

Mr. President, I ask unanimous consent that a summary of the bill, a statement by the American Heart Association, and a press release from my office be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TROPICAL OILS LABELING BILL

Amends the Federal Food, Drug, and Cosmetic Act to:

Require the label of foods which contain palm, palm kernel or coconut oil to indicate specifically which oil is contained in the food. This will disallow tropical oils to be listed disjunctively (the use of "and/or" or "one or more of the following") in ingredient lists;

Require the words "a saturated fat" to follow the names palm, palm kernel or coconut oil in ingredient lists of products containing tropical oils;

Require the label of foods which contain palm, palm kernel or coconut oil and which make a claim that the food contains or is prepared with vegetable shortening on the principal or side panel to:

(a) Identify on the label making the claim which of the tropical oils is contained in the food and follow the name of the oil with the statement "a saturated fat; and

(b) List the fat content and saturated fat content of the food per serving.

The bill will take effect 180 days after enactment.

STATEMENT BY AMERICAN HEART ASSOCIATION ON A BILL TO LABEL TROPICAL FATS

Good Morning. I am John La Rosa, Chairman of the American Heart Association's Nutrition Committee and Professor of Medicine and Health Care Sciences at George Washington University.

The AHA is pleased to support the legislation, being introduced by Congressmen Dan Glickman (D-KS) and Ron Wyden (D-OR), to amend the Food, Drug and Cosmetic Act to reflect the true character of foods that contain palm or coconut oil. This will require that foods made from vegetable oils, but containing palm or coconut oil, be identified as containing "saturated fats."

Both palm and coconut oil, although "vegetable oils," contain high amounts of saturated fat. Intake of saturated fat has been correlated with blood cholesterol levels and coronary heart disease in many scientific studies.

Consumers who purchase products that claim to be made from "100 percent vegetable oil," and contain any one of the two oils, should be aware that they are not reducing the amount of saturated fat in their diet, but actually increasing it.

¹ Currently, an ingredients list is likely to look like this: Ingredients: Whole grain flour, vegetable shortening (containing one or more of the following: soy, corn, safflower, and palm oil), sugar, etc. * * *

Although the Food and Drug Administration will determine precisely how this provision will be implemented, under Glickman-Wyden the same ingredients list might look like this: Ingredients: Whole grain flour, vegetable shortening (containing one or more of the following: soy, corn and safflower); palm oil, a saturated fat; sugar, etc. * * *

The AHA estimates that Americans are consuming an average of 15 percent of calories as saturated fats. Much of this is in animal fat, but a significant portion of it can be from coconut oil, palm oil, or cocoa butter. The AHA recommends that saturated fat intake should be less than 10 percent of total calories.

For example, no more than 200 calories from a 2,000 calorie daily dietary intake should come from saturated fats. That is equivalent to about 22 grams of saturated fat. One tablespoon of coconut oil contains almost 12 grams of saturated fat, more than half the recommended daily limit. If animal products are added to the diet, it is easy to surpass the limit for saturated fat. Palm oil is also a concentrated source of saturated fat. A tablespoon of palm oil contains 6.7 grams or about 60 calories of saturated fat.

There are several sources of vegetable oil which are extremely low in saturated fats. Safflower oil contains 1.2 grams of saturated fat per tablespoon. A tablespoon of soybean oil contains no more than 2.0 grams of saturated fat.

Significant reductions in saturated fat intake cannot be achieved without comprehensive labeling information. The Glickman-Wyden amendment is an excellent first step in that direction.

The government's overall food labeling policy, however, has not kept pace with either our knowledge of nutrition and heart disease or the public's need for comprehensive labeling. According to a recent survey by the AHA, 54 percent of the primary food shoppers in American households rely on nutrition and product labeling to get information on nutritional contents of food.

The AHA supports the Glickman-Wyden bill on the basis that consumers need accurate and useful nutrition information. The AHA is also on record advocating that all packaged foods should be required to list the type and amount of fat, the amount of cholesterol and the amount of sodium in a clear and distinctive manner on the label.

HARKIN BILL WOULD REQUIRE FOOD LABELS TO SPECIFY TROPICAL OILS

WASHINGTON, D.C.—U.S. Senator Tom Harkin (D-Iowa), chairman of the Senate Agriculture Subcommittee on Nutrition, today introduced legislation that would require foods containing high levels of saturated fat from tropical oils to be clearly labeled to alert consumers of that fact.

"Tropical oils, like palm, palm kernel and coconut oil may invite heart disease by raising blood cholesterol levels," Harkin said. "Yet food companies use them in hundreds of products ranging from cereals to frozen fried potatoes. My concern is that some of these products make claims of having no cholesterol and many boast of being made with 100 percent vegetable shortening. I believe that the unsuspecting consumer, accustomed to thinking of all vegetable oils as healthful, is easily and perhaps purposely misled by this kind of labeling."

Current food labeling laws permit highly saturated tropical fats, such as palm, palm kernel and coconut oils, to be labeled as "vegetable oils" even though they contain up to twice as much saturated fat as lard and as much as six times more saturated fat than corn oil or soybean oil, Harkin said.

The Tropical Oils Labeling Act of 1987 would require food labels to indicate specifically which oil is contained in a product, disallowing the use of "and/or" or "contains one or more of the following" if a product contains a tropical oil. The bill would also require the words "a saturated fat" to

follow the names palm, palm kernel or coconut oil in ingredient lists of products containing tropical oils.

According to a recent survey by the American Heart Association, 54 percent of the primary shoppers in American households rely on nutrition and product labeling for information on the nutritional content of food.

"It's clear that comprehensive labeling information is a significant step in educating consumers and in reducing saturated fat intake," Harkin said.

American farmers would also benefit from the legislation, Harkin said. "As consumers begin to realize the incredible amount of saturated fats in tropical oils, they will demand products that use domestically produced oils like corn, soybean and safflower, which contain minimal amounts of saturated fat. Not only will we cut our imports but we'll help farmers expand their domestic markets," Harkin said.

Coronary heart disease is the number one killer in the United States, responsible for more than 550,000 deaths each year—more than all forms of cancer combined. Saturated fats raise blood cholesterol levels and increase the risk of heart disease.

For more information contact Pam McKinney or Paul Boyum at 202/224-3254.

FATTY ACID COMPOSITION OF OILS AND FATS

[Percent of total fatty acids]

Oil	Saturated	Monounsaturated	Polysaturated
Safflower	9	13	78
Sunflower	11	20	69
Corn	13	25	62
Olive	14	77	9
Soybean	15	24	61
Peanut	18	48	34
Sockeye Salmon	20	55	25
Cottonseed	27	19	54
Lard	41	47	12
Palm	51	39	10
Beef Tallow	52	44	4
Butterfat	66	30	4
Palm Kernel	86	12	2
Coconut	92	6	2

Sources: Handbook No. 8-4 and Human Nutrition Information Service, U.S.D.A.

Mr. CONRAD. Mr. President, we have before us a chance to correct a Food and Drug Administration labeling loophole.

Because of this loophole, millions of health-conscious Americans last year consumed 2.4 billion pounds of tropical fats. These fats are billed as healthy vegetable oils, but in reality they are 5 to 9 times higher in saturated fat than sunflower or soybean oils.

I am putting into the RECORD a group of labels from consumer products that are readily available on the grocery shelves of America that make clear the problem. I have one here that is a product and it indicates that it contains vegetable oil and contains one or more of the following, the label tells us: "cottonseed oil, corn oil, peanut oil, partially hydrogenated cottonseed oil, partially hydrogenated soybean oil, partially hydrogenated sunflower oil or palm oil."

That disjunctive labeling is what is misleading and not fully informative to the American consumer and is what this bill seeks to correct.

Again, those oils, the tropical oils, the palm oils are 5 to 9 times higher in saturated fat than sunflower or soybean oils. And, as public health experts will tell you, restricting saturated fats in our diets is one way to reduce serum cholesterol, one of the leading causes of heart diseases.

Because of this loophole, American farmers are at a competitive disadvantage in selling nutritious sunflower, safflower and soybean oil.

Because of this loophole, American children are munching on cereals made with coconut, palm, and palm kernel oil—tropical fats—while their parents proudly but wrongly believe they have provided healthy breakfasts and snacks.

The loophole allows food manufacturers to use what is called "disjunctive labeling" in their lists of product ingredients. Maybe you have seen how this works: The product is said to contain "one or more of the following," followed by a laundry list of good vegetable oils and tropical oils.

Many consumers, thinking they are buying healthier products, are sadly deceived. As I said before, the cheap tropical oils contain far more saturated fats than an equal amount of animal fats or dairy products.

Now, I understand that the food companies need to serve their stockholders by producing their breakfast cereals, snack foods, coffee creamers and other products at the lowest possible price. That is a reasonable corporate goal.

But American consumer deserve to know what they are buying. This bill will give them that opportunity. It will stop the use of disjunctive labeling—the "and/or" and "one or more of the following" clauses—and require that cheap tropical fats used in the product be labeled as saturated fats.

The bill will also give thousands of American farmers a more even playing field on which to compete in selling their products—soybean and sunflower oils.

The loophole needs to be closed. And we can close it. I urge you to vote in support of this legislation.

Mr. President, I applaud the distinguished Senator from Iowa for moving forward with this piece of legislation. It is a piece of legislation that is good not only for consumers but also for the farmers of America.

I thank the Chair.

By Mr. DASCHLE (for himself and Mr. PRESSLER):

S. 1110. A bill to prohibit the charging of admission fees at Mount Rushmore National Memorial; to the Committee on Energy and Natural Resources.

PROHIBITING ADMISSION FEES AT MOUNT RUSHMORE NATIONAL MEMORIAL

Mr. DASCHLE. Mr. President, the legislation I am introducing today re-

affirms the intent of the February 25, 1929, prohibition against charging entrance fees at Mount Rushmore National Memorial in the Black Hills of South Dakota. Authority for the National Parks Service to charge entrance fees at Mount Rushmore is being considered in H.R. 1320.

Since its creation, Mount Rushmore has been an internationally recognized symbol of our Nation's strength and vision. The tremendous undertaking of immortalizing George Washington, Thomas Jefferson, Theodore Roosevelt, and Abraham Lincoln in granite, and the spectacular results with which we are all so familiar, serves as a reminder of the foresight and leadership of four of this Nation's most distinguished leaders, as well as a tribute of their everlasting dream of freedom and equality.

The "Shrine of Democracy," as Mount Rushmore is known, is far too important to America's history and future to ever allow entrance to be denied on the basis of money. Charging a fee for U.S. citizens, not to mention visitors from foreign lands, to examine the manifestation of this Nation's dreams and values into an unparalleled monument to freedom and liberty simply must not be allowed. For Mount Rushmore is not so much a national park, as it is a tribute to the very ideals this body represents and strives to preserve.

I am hopeful, therefore, that this legislation will be passed into law. We certainly do not want to hide this unsurpassed exponent of America's pride behind the dollar sign.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, no admission fee may be charged at Mount Rushmore National Memorial.

Mr. PRESSLER. Mr. President, I am pleased to join my distinguished colleague, Senator DASCHLE, in introducing this legislation. It involves an issue very important to our State.

Indeed, earlier this week in testimony before the Senate Subcommittee on Public Lands, National Parks and Forests, I spoke out against legislation which would repeal the existing ban on fees at Mount Rushmore. This legislation, H.R. 1320, recently was passed by the House of Representatives. For reasons stated in my testimony of earlier this week, I believe it would be a mistake for the Senate to pass it in its present form. I outlined an amendment I plan to offer to H.R. 1320 if it should be considered by the

Senate. Mr. President, I ask unanimous consent that a copy of my testimony, along with an accompanying statement from the Mount Rushmore National Memorial Society of Black Hills, be printed in the RECORD immediately following my remarks.

Mr. President, although there is currently in existence a prohibition against fees at Mt. Rushmore, I do believe that this legislation is important as a statement of our strong opposition to the proposal to change that law.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR LARRY PRESSLER IN OPPOSITION TO H.R. 1320 BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. Chairman and member of the Committee, I would first like to thank you for the opportunity to testify today. H.R. 1320, a bill to amend the Land and Water Conservation Act of 1965, contains a provision which could have a major impact on my home state of South Dakota. That provision is the main focus of my testimony.

In its present form, I strongly oppose this legislation. Although in many respects this could be a positive bill which I would support with some modifications, I adamantly object to the provision in this bill which would permit the National Park Service to collect fees at Mount Rushmore. Section 2(f) of the bill would repeal the existing specific prohibition of entrance fees at Mount Rushmore and grant the National Park Service the power to collect an entrance fee at the Monument.

The Memorial was never intended to be used as a source of revenue. It is a national shrine of democracy. The 1929 legislation creating the Mount Rushmore National Memorial Commission and defining its purposes and powers specifically addresses the subject of fees. The law states that "No charge shall ever be made for admission to the memorial ground or for viewing the memorial." Thus, no entrance fee has ever existed at the Monument. I believe that Congress should not alter the original language and Mount Rushmore should remain available to all visitors free of charge.

The Mount Rushmore National Memorial is a proud symbol of American independence, ingenuity and artistic achievement. Mount Rushmore is not a recreational service for which fees should be charged. It is a patriotic experience, an education in American history, a lesson in art, and an inspiration to all who visit there. Congress recognized this fact in 1929 when it passed legislation prohibiting fees at the Monument. There is no basis for changing that restriction today. The 1929 Act is quite specific. Its purpose and rationale are obvious. We do not want to charge people a fee to learn about the heritage of our country. We should not charge a fee for the privilege of realizing the moving experience of Mount Rushmore. And we do not want to discourage on-site interpretive visits. We want people to know and understand all they can about this national treasure.

If a fee were imposed, many visitors may choose to avoid paying an entrance fee and view the Monument from a distant roadside—bypassing the facilities that are so important to fully understanding and enjoying the Memorial. As you know, I have intro-

duced legislation to begin a major renovation of the facilities at the Monument. The very purpose of that bill is to encourage visitation and to enable visitors to stay longer and learn more about the true meaning behind Mount Rushmore. This bill would have the opposite effect.

I am particularly concerned that this bill establishes an unjustifiable double standard in the imposition of fees. The existing prohibition against fees at Mount Rushmore is based on its symbolic and educational importance to our country—in effect, it is a prohibition based on function. H.R. 1320 establishes a different fee prohibition criteria, based entirely on location. If a National Park Service facility is located in a certain geographic area, no fee can be imposed. I see no satisfactory justification for this new criteria as an alternative to existing prohibitions. We should remain true to the established and well-reasoned prohibition on fees for symbolic facilities such as Mount Rushmore.

Mr. Chairman, should this bill be acted upon in the Senate, I shall offer an amendment designed to address these inequities. It shall be in the form of either an outright prohibition against fees at Mt. Rushmore and similar facilities, or it will establish statutory guidelines for the National Park Service to follow which would require it to be particularly sensitive in its fee review process to what I earlier referred to as the "functional" importance of any Park Service facility. The guidelines would make clear that fees should not be imposed at facilities such as Mount Rushmore.

Mr. Chairman, in order to retain my rights to offer such an amendment, I have asked the Senate leadership to notify me prior to any Unanimous Consent agreement concerning H.R. 1320 or similar legislation. Without this necessary modification, I will fight to prevent passage of H.R. 1320.

As you will recall, the Senate recently passed a bill which would prohibit any entrance or admission fee at the Statue of Liberty. A similar prohibition regarding fees at the Statue of Liberty is contained in this measure. It is fitting that no fees be charged for viewing the Statue of Liberty. But like the Statue of Liberty, Mount Rushmore and other major, nationally symbolic facilities should not be tied to viewing fees. Both Mount Rushmore and the Statue of Liberty are internationally recognized as symbols of freedom and democracy.

Neither are meant as a source of revenue, but rather as a tribute to our nation's past and an inspiration for its future. The exemption of admission fees should apply to both of these national monuments.

Mount Rushmore is a monument created by Americans for Americans, to be viewed with pride. The current law prohibits fees to view the monument. It is my hope that we will retain this provision of the law and carry on with the intentions of those who worked so hard to create the Mount Rushmore National Memorial for us. I have included with my statement a letter from the Mount Rushmore National Memorial Society of Black Hills which expresses the Society's opposition to the imposition of entrance fees at the Monument. The Rushmore Society has been dedicated to working for the best interest of Mount Rushmore for 57 years. It was organized in 1930 as a nonprofit organization and worked at the monument with sculptor Gutzon Borglum during the years of construction from 1930 to 1941. The Society has remained an active organization and its commitment of the

Mount Rushmore National Memorial is inspirational.

MOUNT RUSHMORE NATIONAL MEMORIAL SOCIETY OF BLACK HILLS,
Rapid City, SD, April 22, 1987.

HON. LARRY PRESSLER,
U.S. Senator, Russell Senate Office Building, Washington, DC.

DEAR SENATOR: The Mount Rushmore National Memorial Society of Black Hills has been advised through press releases concerning legislation introduced in the House of Representatives to repeal legislation prohibiting an entrance fee at the Mount Rushmore National Memorial. We cannot refer you to the title or number of the statute but it is our understanding it was included in the original enabling legislation in 1929 as a part of the authorization and funding help with the project.

The Society is opposed to repeal of the legislation prohibiting a fee for entry to the monument. We feel that in the middle of these United States, Mount Rushmore exists as a Shrine of Democracy. Access to the sculpture must remain free and available to all citizens and foreign guests. It is a place to appreciate freedom and democratic ideals as well as to consider the courage, foresight and philosophies of the four presidents carved on the mountain.

The Society has been a part of Mount Rushmore from its inception and has provided large sums of money for the original sculpture and construction of improvements at the monument. During the depression days, when the monument was being carved, donations were even made by school children who contributed their pennies for the completion of the monument.

We hope that you and the Congress will agree that charging admission to view Mount Rushmore is inappropriate and that the repeal of the present prohibition for entrances fees will be defeated.

Thank you for your consideration.

Very truly yours,

CAROLYN MOLLERS,
President.
RAY J. ALDRICH,
Trustee.●

By Mr. METZENBAUM (for himself and Mr. DECONCINI):

S. 1111. A bill to amend the antitrust laws in order to preserve and promote wholesale and retail competition in the retail gasoline market and to protect the motoring safety of the American public; to the Committee on the Judiciary.

MOTOR FUEL SALES COMPETITION IMPROVEMENT ACT

● Mr. METZENBAUM. Mr. President, today I am pleased to introduce, along with Senator DECONCINI, the Motor Fuel Sales Competition Improvement Act of 1987. This bill will dramatically improve competition in the sale of gasoline at the retail and wholesale levels. It will benefit consumers as well as ensure independent service station dealers have a fair opportunity to compete in the sale of gasoline.

A similar bill was reported favorably during the 99th Congress by the Senate Judiciary Committee. This bill differed principally from the one I am introducing today by allowing current

company-owned stations to continue in operation.

OPEN SUPPLY

This bill has two basic components. First, it prohibits refiners from requiring that service stations purchase all or almost all of its supplies of gasoline from a single source. Under the bill, the oil companies could not require independent dealers to purchase more than 70 percent of their supplies from the companies' refineries. Consequently, dealers would be free to go elsewhere to buy gasoline supplies when they could find a better price. The result would be to inject competition into what is now a system that freezes out competition. Under this bill, if an oil company tries to squeeze its dealers by charging prices for supplies that are not competitive, the dealer could respond by looking around for supplies from other refiners or wholesalers.

This provision is consistent with the settlement of antitrust litigation between independent dealers and 15 major oil companies. In this case, *Bogossion versus Gulf Oil Corp. et al.*, the independent dealers claimed that the oil companies, among other things, had restricted their ability to buy gasoline from other suppliers. The settlement with almost all the defendants allows dealers to have greater freedom to buy supplies.

The terms of this settlement, however, expire after 5 years. In addition, the provisions of each settlement are somewhat different and in some cases oil companies can impose greater restrictions on their dealers than in others. Finally, there is legitimate fear by some dealers that the economic leverage wielded by the oil companies, who in most cases, own the station and lease it to the dealer, will prevent the dealer from taking advantage of the settlement. As one dealer put it when the settlement was announced, the settlement "grants a theoretical right. But it doesn't address the fact that the oil company is landlord, banker, giver of wholesale and retail credit and supplier of maintenance."

The settlement shows that giving dealers greater freedom to purchase supplies from others does not present a serious burden for the major oil companies. This greater flexibility in purchasing supplies would be implemented through conversion of one or more pumps or addition of new pumps to dispense gasoline supplied by someone other than the company whose brand is displayed at the station. The bill requires that the dealer provide notice at the point of sale that gasoline supplied by someone else is being dispensed at a particular pump.

By making the terms of this settlement permanent, and by insuring that dealers can take advantage of the greater freedom to buy supplies, the consumer will save and dealers will have some economic leverage to use

against the oil companies that supply them.

COMPANY OPERATED STATIONS

The second part of this bill prohibits large integrated refiners from controlling the operations of gasoline service stations. No company which owns refining capacity of over 175,000 barrels per day and which produces more than 30 percent of the crude oil supplied to its own refineries would be allowed to control the operations of service stations, although they would be permitted to own the station property and lease it to the dealer who runs the station.

This provision would prevent approximately the largest 20 oil companies in this country from controlling retail operations. It would not prevent the scores of other refiners in operation today or any other type of company from operating service stations.

This provision of the bill would allow retail service stations to compete on a fair basis. Large oil companies would not be allowed to extend their dominance any longer into the sale of gasoline at retail.

It is no accident that independent service stations are struggling for their existence. They are up against major oil companies that already control the production of domestic crude oil, crude oil pipelines, refining, and marketing. Not only do the major oil companies own most of the assets in each of these levels of production, but their market share understates the degree to which they are able to cooperate to control the market.

Hearings in past Congresses have revealed a vast array of tactics used by the major integrated refiners against these small and independent businesses. Such tactics, according to extensive testimony from present and former dealers, have included excessive rent increases, abrupt changes in credit terms, delays in credit card processing, subsidization by refiners of their own directly operated stations, refusals to provide routine maintenance service to dealers, reduced gasoline allocation to the independents when supplies are short, and unreasonable quotas when the market is flooded.

It is clear that the major integrated refiners have reaped the benefits of such economic eviction techniques. At the same time that independent dealerships have been declining by the tens of thousands, large integrated refiners have expanded their sales of gasoline through stations that they themselves own and operate. The company-owned station provides a weapon for oil companies to use to drive independent stations out of business. In case after case, the evidence has shown that company-owned stations sell gasoline at retail for less than the independent stations must pay in wholesale prices. By preventing large oil companies from operating their

own retail stations, they will no longer have the opportunity or incentive to use them to drive the independent out of business.

The legislation we are proposing today will help restore the competitiveness of small businesses engaged in gasoline marketing by eliminating the incentives that lead to such inequitable practices by the major refiners.

Mr. President, I ask unanimous consent that a copy of the bill and a more detailed statement of the bill be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

MOTOR FUEL SALES COMPETITION IMPROVEMENT OF 1987: SUMMARY OF PROVISIONS

WHOLESALE PURCHASE OF GASOLINE

Section 2(a) prohibits producers or refiners from requiring service station dealers to purchase more than 70% of their gasoline supplies from the producer or refiner and allows the dealer to convert existing tanks and dispensers or install new ones to sell gasoline supplied by someone other than company whose brand is displayed.

Section 2(b) prohibits producers or refiners from conspiring to violate section 2. For example, one oil company could not conspire with another company to refuse to supply a dealer in order to force the dealer to buy all its supplies from one of the oil companies.

Section 2(c) requires branded dealers who sell gasoline supplied by companies other than the company owning the brand to disclose to the public that sales of gasoline from particular pumps are not supplied by the brand-name company. In order to comply with this provision, a dealer could install new pumps and tanks or convert existing facilities, as long as clear notice was made at the point of sale.

OPERATION OF SERVICE STATIONS

Section 3 prohibits large integrated oil refiners from operating service stations. Large integrated refiners are defined as companies with refining capacity exceeding 175,000 barrels per day and which supply 30% or more of their own crude oil to their refineries. This prohibition on operation of stations applies to approximately the 20 largest oil companies.

Section 4 allows large integrated refiners to own the station facilities as long as they do not control the operation through employees or in other ways.

Section 5 provides definitions of terms. Section 6(a) provides for enforcement by the Justice Department and the Federal Trade Commission. Section 6(b) provides for private enforcement. Section 6(c) provides for an effective date one year from enactment.

S. 1111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Motor Fuel Sales Competition Improvement Act of 1985".

WHOLESALE PURCHASE OF GASOLINE

SEC. 2. (a) Notwithstanding any other provision of law and except as provided in this section, it shall be unlawful for any producer or refiner, directly or indirectly, to require any retail motor fuel dealer to pur-

chase more than 70 per centum of the monthly retail sales of motor fuel from such producer or refiner or to prohibit the use or conversion of storage tanks and dispensers as provided in subsection (c).

(b) It shall be a violation of this Act for any producer or refiner to contract, combine, or conspire with any other producer or refiner for the purpose of violating subsection (a).

(c) It shall be unlawful for any dealer, at a motor fuel service station displaying a trademark, trade name, or other identifying symbol or name owned by a refiner or producer, to sell motor fuel which is not provided by or for such producer or refiner without providing reasonable notice at the point of sale that motor fuel dispensed by one or more dispensers is not refined by or for such producer or refiner, except that a dealer may convert one or more existing storage tanks and dispensers or establish new storage tanks and dispensers for sale of motor fuel supplied by other than the owner of the trademark, trade name, or identifying symbol displayed at the station.

OPERATION OF MOTOR FUEL SERVICE STATIONS

SEC. 3. It shall be unlawful for any large integrated refiner to operate any motor fuel service station in the United States.

EXCEPTIONS

SEC. 4. Notwithstanding section 3, it shall not be a violation of this Act for a large integrated refiner to own all or part of the assets of a motor fuel service station so long as such producer does not engage in the business of selling motor fuel at such station through any—

- (1) employee;
- (2) commissioned agent;
- (3) person acting on behalf of the refiner or under the refiner's supervision; or
- (4) person operating such station pursuant to a contract with the refiner which provides that the refiner has substantial or effective control over the motor fuel operations of the station.

DEFINITIONS

SEC. 5. For purposes of this Act the term—

- (1) "producer" means any person who is engaged, directly or indirectly, in the production of crude oil;
- (2) "refiner" means any person engaged, directly or indirectly, in the refining of motor fuel or any producer who contracts with another to refine petroleum products for purposes of sale of motor fuel by the producer;
- (3) "large integrated refiner" means any person who for the most recent calendar year for which data are available—
 - (A) produced, directly or indirectly, more than 30 per centum of the domestic and imported crude oil supplied to its refinery; and
 - (B) whose total refinery capacity exceeds one hundred and seventy-five thousand barrels per day;
- (4) "motor fuel" means gasoline, diesel fuel, alcohol, or any mixture of them sold for use in automobiles and related vehicles;
- (5) "motor fuel service station" means any facility at which motor fuel is sold at retail;
- (6) "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, joint-stock companies, trustees and receivers in bankruptcy and reorganization, common law trusts, and any organized group, whether or not incorporated;
- (7) "United States" means the several States, the District of Columbia, and any territory or possession of the United States.

ENFORCEMENT AND EFFECTIVE DATE

SEC. 6. (a) The Federal Trade Commission may commence a civil action for appropriate relief, including a permanent or temporary injunction, whenever the Federal Trade Commission has reason to believe that any person has violated or is violating any provision of this Act, or any regulations promulgated thereunder. Any action under this paragraph may be brought in the district court of the United States for the district in which the defendant is located, resides, or is doing business, and such court shall have jurisdiction to restrain such violation and to require compliance, to impose monetary penalties under the same terms and conditions as provided in section 5(m)(2)(A) of the Federal Trade Commission Act, and to order such additional equitable relief as it deems appropriate.

(b)(1) If any person fails to comply with the requirements of this section, any other person affected by such failure may maintain a civil action against such person failing to comply with such requirements for damages and appropriate equitable relief, including temporary and permanent injunctive relief. If the plaintiff prevails in any action under this section, the plaintiff shall be entitled to reasonable attorney and expert witness fees to be paid by the defendant, except that in any case in which the court determines that only nominal damages are to be awarded to the plaintiff, the court may, in its discretion, determine not to direct that such fees be paid by the defendant.

(2) An action brought pursuant to this section may be brought, without regard to the amount in controversy, in the district court of the United States in any judicial district in which the plaintiff resides or is doing business or in which the defendant resides or is doing business.

(c) Sections 2 and 3 of this Act shall take effect one year after the date of the enactment of this Act.

(d)(1) The Federal Trade Commission shall prescribe regulations for the collection of information necessary for the determinations specified in section 3 and for the manner of complying with the requirements of section 2(c).

(2) Notwithstanding any other provision of this Act, information related to section 3 need not be provided by private persons if reliable and timely information is available from published sources.

(3) Regulations promulgated pursuant to paragraph (1) shall be promulgated, after notice and a reasonable period for comment by the public, no later than one hundred eighty days after the date of enactment of this Act.

(4) No section of this Act shall supersede any comparable State law to the extent that compliance with the State law can be accomplished consistent with this Act.●

By Mr. SASSER (for himself,
Mr. DURENBERGER, Mr. KERRY,
Mr. HEINZ, and Mr. GLENN):

S. 1112. A bill to amend the Public Health Service Act to provide for the development of academic leaders in geriatrics through the establishment of centers of excellence in geriatric research and training; to the Committee on Labor and Human Resources.

CENTERS OF EXCELLENCE IN GERIATRIC RESEARCH AND TRAINING ACT

● Mr. SASSER. Mr. President, the "graying of America" promises to be

one of the most serious health care challenges in the years ahead. Yet, the Nation's medical community remains largely unprepared to meet that challenge. The problem is simple. We have very few doctors who are adequately trained to deal with the chronic and complex ailments that strike the elderly.

The prestigious Institute of Medicine [IOM] has completed a study and will soon issue a report that reveals just how few American physicians there are with expertise in geriatrics. Of the 450,000 practicing physicians in the United States, only 450—or 1 in every 1,000—have completed a postgraduate fellowship program in geriatrics. The IOM study points out that we must double our current yearly output of geriatricians to meet the projected need of at least 2,100 geriatricians by the year 2000.

Steps have been taken recently to improve geriatric training in the United States. However, these efforts are falling far short of what is needed. For example, in the current academic year, there are only three geriatricians in advanced training in the United States.

Geriatrics has been largely ignored, because it is not very glamorous. American medicine has always focused on fast cures to dramatic, acute illnesses. But there are rarely any fast cures for the chronic ailments of the elderly. In fact, their conditions often defy a doctor's natural desire to "make it all better."

As a result, doctors tend to lose interest in elderly patients. They are seen as hopeless cases even when they may greatly benefit from treatment. For example, I am reminded of the story of the 92-year-old man who went to the doctor complaining of pain in his left leg. The doctor declared, "Sam, for Pete's sake, what do you expect at age 92?" Sam replied "Look, my right leg is also 92, but it doesn't hurt a bit. Now explain that."

Doctors and all medical personnel must be taught that the chronic ailments of the elderly are not always hopeless conditions. Their treatment may require more time and attention. But positive results can be achieved and these results may be spectacular.

Mr. President, I want to bring my colleagues' attention to an article that appeared in the Washington Post on April 14, 1987. The article highlights our medical community's continuing disinterest in geriatric medicine. Yet, it also shows how skilled geriatricians can vastly improve the health care provided to older patients.

We must act convincingly to correct our past neglect of geriatric medicine. And we must act now. That is why I am introducing legislation today that offers hope of improved medical care for our senior citizens.

My legislation is based on the recommendation of the Institute of Medicine's upcoming report on geriatric medicine.

It authorizes the establishment to centers of excellence in geriatric research and training at 10 medical schools across the country. These centers of excellence will help develop a critical mass of academic leaders in geriatrics. Once we have the academic manpower, our medical schools will be able to train adequate numbers of practicing physicians and other health professionals to care for the rapidly increasing number of older Americans.

I am pleased that Senators DURENBERGER, KERRY, GLENN and HEINZ have joined me as original cosponsors of this legislation.

Mr. President, Congress has the opportunity this year to expand our senior citizens' access to health care by offering them financial protection against catastrophic illnesses. That's good news for our seniors.

Yet, as we expand older Americans' access to health care, we should be equally committed to ensuring their access to high quality care. We have pediatricians to care for our children. Our seniors should have access to doctors who are just as interested and knowledgeable about their special health care needs.

I urge my colleagues today to join my efforts to improve our Nation's academic training and research in geriatrics. It is essential if we are to offer high quality health care to our aging population in the decades ahead.

Mr. President, I ask unanimous consent that the text of my bill and a copy of the Washington Post article on geriatric medicine be included in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1112

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Centers of Excellence in Geriatric Research and Training Act of 1987".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) recent growth and projected growth in the number of elderly individuals in the United States raises concerns about how best to meet the health care needs of such individuals;

(2) providing high quality health care for elderly individuals requires special knowledge about the clinical syndromes and psychological changes related to aging;

(3) recent studies show that there is a serious shortage of physicians in the United States with adequate knowledge concerning geriatrics;

(4) unless positive national action is taken, the current shortage of trained geriatricians will grow even worse as the number of older Americans dramatically increases over the next several decades;

(5) the shortage of trained geriatricians is a result of inadequate training and research opportunities at all levels of medical education;

(6) although 75 percent of American medical schools currently offer elective courses in geriatrics, only about 4 percent of medical students take these courses;

(7) in the 1986-1987 academic year, there were no geropsychiatrists in advanced training in the United States and only three geriatricians in such training;

(8) in order to provide adequate health care for the rapidly increasing number of elderly Americans, it is important first to train a sufficient number of academic leaders in geriatrics who will, in turn, train sufficient numbers of physicians to care for elderly individuals;

(9) the training of geriatricians in the United States can be greatly improved by establishing centers of excellence in geriatric research and training; and

(10) such centers must have excellent faculty and support personnel as well as strong research, clinical, and educational components.

(b) It is the purpose of this Act to—

(1) expand the authority of the National Institute on Aging to develop academic leaders in geriatrics; and

(2) authorize the establishment of centers of excellence in geriatric research and training to develop such leaders.

ESTABLISHMENT OF CENTERS

SEC. 3. (a) Subpart 5 of part C of title IV of the Public Health Service Act is amended by adding at the end thereof the following new section:

"CENTERS OF EXCELLENCE IN GERIATRIC RESEARCH AND TRAINING

"SEC. 445A. (a) The Director of the Institute shall enter into cooperative agreements with, and make grants to, public and private nonprofit entities to pay all or part of the costs of the development or substantial expansion of centers of excellence in geriatric research and training. Each center developed or expanded under this section shall—

"(1) utilize the facilities of a single institution, or be formed from a consortium of co-operating institutions, meeting such research and training qualifications as may be prescribed by the Director; and

"(2) conduct—

"(A) research into the aging processes and into the diagnosis and treatment of diseases, disorders, and complications related to aging;

"(B) advanced training programs in current methods of diagnosis and treatment of such diseases, disorders, and complications;

"(C) programs to develop individuals capable of conducting research concerning aging and concerning such diseases, disorders, and complications; and

"(D) educational and training activities for students of the health professions in order to enhance the knowledge of such students in geriatrics.

"(b) Each center developed or expanded under this section shall place primary emphasis on training of physicians to provide training in geriatrics to other physicians and to students of the health professions.

"(c) In making cooperative agreements and grants under this section for the development or expansion of centers, the Director of the Institute shall provide that such centers are—

"(1) geographically distributed throughout the United States; and

"(2) located at entities with proven research capabilities.

"(d) The Director of the Institute shall evaluate on an annual basis the activities of centers developed or expanded under this section and shall report to the Congress (on or before September 30 of each year) the results of such evaluations."

(b) Section 408(a) of such Act is amended by adding at the end thereof the following new paragraph:

"(3) For centers under section 445A, there are authorized to be appropriated—

"(A) \$7,000,000 for the fiscal year 1988, which shall be available for the development or expansion of not more than five centers under such section for such fiscal year;

"(B) \$11,000,000 for fiscal year 1989, which shall be available for the development or expansion of not more than seven centers under such section for such fiscal year; and

"(C) \$15,000,000 for fiscal year 1990, which shall be available for the development or expansion of ten centers under such section for such fiscal year."

[From the Washington Post, Apr. 14, 1987]

A CONTINUING DISINTEREST AMONG PHYSICIANS

(By Victor Cohn)

Consider these statistics:

The elderly use 40 percent of the nation's hospital and doctor care.

They take a third of the prescription drugs the nation produces and almost half of the over-the-counter medicines. They will soon use far more as their numbers grow.

Yet many doctors are unprepared to deal with their complicated and interacting ailments and drastically changed ways of life.

Diabetes complicates heart disease. Heart disease complicates diabetes. The pain of arthritis can afflict the mind. Events like retirement or losing a spouse can aggravate illness, and illness can destroy the ability to cope with events.

What the country is facing, authorities say, is not an overall shortage of doctors but a shortage of those who understand these interactions and how to deal with them.

According to authorities on medical care for the older man and woman:

The illnesses of older people are often misinterpreted. There is sometimes devastating overtreatment or harmful undertreatment.

There is "a continuing disinterest" in older people among doctors, and "many are only too glad to dispose of their older patients," says Dr. Robert Butler, first director of the National Institute of Aging. "Medicine tends to reward high technology, subspecialty medicine."

Nor does caring for the elderly pay well. Doctors are paid well for "procedures"—operations or elaborate tests—but far less for time spent with patients.

Many doctors say older people take "more time." But studies show that the elderly actually get less time than the average per medical "encounter"—an office or hospital visit—though they may require more visits.

A report by a University of California-Rand Corp. team concluded that in mainstream clinics, hospitals and doctors' offices, "despite the heavy investment in medical care for the elderly . . . the care received is deficient."

Care in nursing homes, a part of medical care still largely out of the mainstream, was deemed often "superficial" and "indifferent."

The need for training doctors to care for the elderly is "enormous" and "urgent," says Dr. T. Franklin Williams, the NIA's current director. It is not a matter of "more" doctors, he explains; some authorities believe too many are being trained. But all doctors, he says, need to know more about the aging.

There is also a need for more trained geriatricians—specialists in the aging.

Among those in need of special training, he says, are internists, family physicians, cardiologists, orthopedists, urologists, psychiatrists, neurologists, "even obstetricians, since more of their practice is becoming gynecology. And even pediatricians. One of the big thrusts in pediatrics is working with families, and now that includes interrelationships with grandparents and the old."

Special training in geriatrics has barely started. "It is shocking that we still have only one department of geriatrics in an American medical school—of 127 medical schools," Butler says.

It is at Mount Sinai School of Medicine in New York, and Butler is the head of it. But if there were many other departments, there would not be enough geriatricians to staff them. By Williams' and other estimates, the need "at a minimum" is for 2,600 medical faculty members and 8,000 to 10,000 geriatric specialists. There are now no more than 200 to 300 faculty members. There is no good count of practicing geriatricians, or even of truly trained geriatricians, since doctors may legally list any specialty.

"We need to expand training at least threefold," Williams says. There has been some expansion. The National Institute on Aging, part of the National Institutes of Health in Bethesda, was established in 1974. Its budget is now \$177 million, up from \$93 million in 1983, "growing very well," Williams says, yet still small in relation to the billions spent on medical care.

The institute's budget for traineeships in geriatrics is some \$7 millions, up from \$5.6 million the previous year. NIA and other federal and private agencies together now fund 150 new geriatric fellowships each year, compared with 400 in gastroenterology (stomach and intestinal care) and 800 in cardiology.

A doctor should be able to call on a specialist geriatrician for assistance—"for a comprehensive geriatric assessment," Williams says, "a multidisciplinary evaluation and plan." He calls this "especially important when there is a crisis, when things start falling apart, when there are two or three things going on with the patient. Perhaps heart disease and arthritis and a threat to mobility and questions about family supports and living arrangements."

The geriatrician must then step in for two to four months and help find solutions. This involves working with other professionals—rehabilitation therapists, nurses, psychologists, social workers and others—to treat and help the patient and keep him or her independent and, if possible, out of a nursing home.

Williams headed an innovative geriatric clinic at the University of Rochester in New York, "and we saw patients on waiting lists for nursing homes. We were able to keep half the patients living at home and another fourth living in some less intensive setting than a nursing home."

The name "geriatrician" itself could soon mean more. Next year, two of medicine's main specialty examining and certifying boards, the American Boards of Internal Medicine and Family Practice, will start

awarding certificates of "competence" in geriatrics.

Other solutions are possible. "The demands of patients and families are not unlimited," Butler says. "In my 31 years as a physician, I have not seen many patients who want to be ill, or to have their bodies worked on with injections, intubations and so on. . . . In fact, older persons actually underreport symptoms and delay treatment."

Results of proper care can be spectacular.

A man, 92, entered the Palo Alto Veterans Administration Medical Center "confused and swollen from renal failure," unable to walk because of bad pressure sores on his feet, "malnourished, depressed [and] curled up in a fetal position." A few months earlier, he had been "very social and active."

Most of the hospital's medical staff viewed him as a hopeless case, expected to live a few months more at best in a nursing home. A geriatric team persisted. "We addressed each of his conditions individually . . . with dialysis, rehabilitation, appropriate diet and getting him to care for himself," one doctor reported.

"He walked out of here and returned home. Before he left," mentally completely intact, "he sang for us." ●

By Mr. RIEGLE:

S.J. Res. 119. Joint resolution concerning the April 1986 accident at the Chernobyl nuclear powerplant in the Soviet Union; to the Committee on Foreign Relations.

ANNUAL HEALTH REPORT ON CONSEQUENCES OF THE CHERNOBYL NUCLEAR POWERPLANT ACCIDENT

● Mr. RIEGLE. Mr. President, April 26 marked the 1-year anniversary of the world's worst nuclear accident—that which occurred at the unit 4 nuclear reactor at the Chernobyl nuclear powerplant in Ukraine.

Over the past 12 months, international efforts to try to assess the human costs of this tragedy have continued. Experts have sought to determine the actual number of casualties, as well as the future incidence of death, illness and genetic defects affecting the population of the Soviet Union and Europe. This difficult task has been complicated by Soviet Government efforts to minimize the tragic results of the Chernobyl accident.

For example, the Soviets maintain that 31 people have died as a result of the accident, despite reports from various other sources that many more deaths—by some estimates reaching into the thousands—have occurred. Earlier this month, the Ukrainian Health Minister, Nikolai Romanenko, told reporters that the amount of radiation emitted as a result of the accident was 15 times less than previously estimated, and would result in 200 to 600 deaths over an unspecified time span.

Those figures are disputed by testimony, such as that recently given by Soviet emigre Igor Gerashchenko before the United States Helsinki Commission, in which he claimed that 15,000 had died in two Kiev hospitals within the first 5 months of the accident. While this particular report is

difficult to verify, it raises serious questions concerning our understanding of the Chernobyl tragedy. Disturbing reports, such as that published in January by the U.S. Nuclear Regulatory Commission, estimate that 10,000 people in other parts of Europe will die as a result of Chernobyl in the next 70 years. Finally, Dr. Robert Gale, an American bone marrow specialist, told us last February, that the accident could cause 75,000 deaths worldwide over the next 50 years.

The Soviets said they evacuated 135,000 people living within an 18.5-mile area around the plant. But the evacuations reportedly didn't begin until 36 hours after the accident and, in some areas, not until 1 week later. Although we do not know today the exact number of victims, we do know that many of the residents of the affected area will suffer adverse long-term health effects. Some United States radiation health authorities have estimated that up to 70,000 excess cancers may occur in Soviet and European populations as a result of the Chernobyl accident. In light of the fact that the onset of cancer can occur as many as 30 to 40 years after exposure, and any genetic damage would affect future generations, many of Chernobyl's victims may remain unidentified for decades.

Soon after the evacuation, a crew numbering 40,000 to 50,000 persons was conscripted for a massive cleanup operation, exposing that many more to high radiation levels. According to the March CIA-DIA report on the impact of the Chernobyl accident on the Soviet economy, "the potential death rate due to radiation-induced cancer among those involved in the clean-up is double that of the evacuees."

While the Soviet Government's willingness, in the aftermath of Chernobyl, to permit international inspections of its nuclear facilities was a positive development, the Soviets have been less than forthcoming in answering many important questions concerning the human costs involved. Today, 1 year after the accident, we still do not have a clear understanding of the immediate and long-term damage it has caused.

That is why I am today introducing a joint resolution, calling on the Secretary of State to report annually to the Congress on the overall scientific, economic, environmental, agricultural, and public health effects of the April 1986 Chernobyl catastrophe. In addition, the joint resolution, urges the President to initiate negotiations with the Soviet Union for the purpose of establishing an international medical center in the Soviet Union where victims of the Chernobyl accident could receive medical treatment and support. Identical legislation has been in-

troduced in the House of Representatives by Representative DENNIS HERTEL and Representative DON RITTER, co-chairmen of the Congressional Ad Hoc Committee on Baltic States and Ukraine.

Mr. President, the enormity of the Chernobyl accident demands that we begin a serious effort to determine the amount of human suffering it has caused. We must gather the facts, study them, illuminate them, and then attempt to deal with the human and environmental damage that this tragedy has wrought.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 119

Whereas on April 26, 1986, explosions and fire in reactor no. 4 of the Chernobyl nuclear power plant near Kiev in the Ukraine caused partial breaching of the nuclear core of the reactor, releasing nuclear fission products into the atmosphere;

Whereas the damage nuclear plant released large quantities of radioactivity into the environment, causing serious contamination in the vicinity of the reactor;

Whereas radioactivity was lifted to high altitudes by the heat of the reactor core and was carried by winds and rain long distances from the power plant, falling in Eastern and Western European countries in varying amounts;

Whereas substantial amounts of radioactivity falling closer to the plant site necessitated the emergency evacuation of 135,000 people living in a 32-kilometer region around the reactor;

Whereas in the days immediately following the accident, the Soviet Government provided few details and sought to downplay the dangers posed by the accident, at the same time the Western press and some government officials and experts were calling the accident the worst nuclear disaster in history;

Whereas authorities in Kiev issued few if any warnings at the time of the accident and insisted that there was no danger beyond the immediate vicinity of the power plant;

Whereas Westerners in Kiev at the time reported that residents there were not warned to take even rudimentary precautions to avoid contamination, such as staying indoors or being wary of the water supply, which comes from a reservoir near Chernobyl;

Whereas a one-week delay in issuing health warnings to the population outside the evacuation zone appears to have resulted in the increased exposure of the population to radiation at the time when the risk of such exposure was greatest;

Whereas the principal long-term effects of exposure to the nonlethal levels of radiation released by the Chernobyl accident will be cancer and genetic mutations, initially indicated by a rise in the incidence of leukemia among the effected population;

Whereas the number of excess cancers expected over the next 70 years in Soviet and European populations as a result of the Chernobyl accident remains unknown;

Whereas Dr. Robert Gale, the American physician who participated in the treatment

of victims of acute radiation exposure after the Chernobyl accident, has advocated a detailed followup study of the incidence of leukemia over the next 5 years;

Whereas at a meeting of the International Atomic Energy Agency in August 1986, a Soviet delegation gave its government's official report on the accident, which suggested that the accident might cause several thousand additional cases of cancer in the Soviet Union over the next 40 to 50 years;

Whereas the Soviets are reportedly still concerned about the safety of the Kiev water supply because contaminated soil near the plant might be washed into the Pripyat River, which feeds the Kiev reservoir;

Whereas the impact of the accident on pastures and grasses may lead to immediate and long-term agricultural losses in the Ukraine and Byelorussia, the Soviet Union's primary producing regions for grain, livestock, and dairy products;

Whereas additional information about the radioactivity released at Chernobyl, the specific fission products present, the concentration of those products, and the extent of the area affected will be required before a detailed assessment can be made of the potential damage to Soviet and European agriculture;

Whereas the United States has offered technical and humanitarian assistance to mitigate the effects of the accident, specifically pledging to provide specialists to assist in cleaning up contaminated areas as well as to suggest ways in which water, air, and soil decontamination could be accomplished; and

Whereas it may take many years of effort at considerable costs to deal with all of the medical and environmental consequences of the release of radioactivity at Chernobyl: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPORT ON IMPACT OF THE CHERNOBYL ACCIDENT.

(a) REPORT BY THE SECRETARY OF STATE.—The Secretary of State shall prepare a report which describes and summarizes the scientific, economic, environmental, agricultural, and public health effects, including the number of deaths and injuries, of the April 1986 accident at the Chernobyl nuclear power plant in the Soviet Union. The Secretary of State shall submit this report to the Congress within 6 months after the date of enactment of this joint resolution.

(b) ANNUAL UPDATES.—The Secretary of State shall annually update and revise such report until he determines that the direct impact of the Chernobyl accident on the environment and people of Europe and the Soviet Union is no longer statistically significant.

(c) DELEGATION AND CONSULTATION.—In carrying out his duties under this section, the Secretary of State shall act through the Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, and shall consult with the heads of other appropriate Federal agencies.

SEC. 2. CHERNOBYL MEDICAL CENTER.

It is the sense of Congress that—

(1) the President should initiate negotiations with the Soviet Union for the purpose of establishing an international medical center in the Soviet Union where victims of the Chernobyl nuclear accident could receive medical treatment and support;

(2) these negotiations should include proposals that any concerned government

should be allowed to send medical personnel to serve on the staff of such center, and that the costs of operating such center should be shared among all participating nations, including the Soviet Union;

(3) the United States Government should only participate in the establishment and operation of such a center if the Soviets make the center's facilities and services available to all who need them; and

(4) the United States Government should encourage individuals and organizations from the private sector to donate or loan necessary medical equipment, supplies, and services to such center.●

ADDITIONAL COSPONSORS

S. 12

At the request of Mr. CRANSTON, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 12, a bill to amend title 38, United States Code, to remove the expiration date for eligibility for the educational assistance programs for veterans of the All-Volunteer Force; and for other purposes.

S. 104

At the request of Mr. INOUE, the names of the Senator from South Carolina [Mr. THURMOND], the Senator from Arizona [Mr. DECONCINI], and the Senator from Connecticut [Mr. WEICKER] were added as cosponsors of S. 104, a bill to recognize the organization known as the National Academies of Practice.

S. 143

At the request of Mr. INOUE, the names of the Senator from Montana [Mr. MELCHER], and the Senator from North Dakota [Mr. BURDICK] were added as cosponsors of S. 143, a bill to establish a temporary program under which parenteral diacetylmorphine will be made available through qualified pharmacies for the relief of intractable pain due to cancer.

S. 466

At the request of Mr. METZENBAUM, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 466, a bill to provide for a waiting period before the sale, delivery, or transfer of a handgun.

S. 570

At the request of Mr. CHAFEE, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 570, a bill to reduce atmospheric pollution to protect the stratosphere from ozone depletion, and for other purposes.

S. 571

At the request of Mr. CHAFEE, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 571, a bill to reduce atmospheric pollution to protect the stratosphere from ozone depletion, and for other purposes.

S. 764

At the request of Mr. MURKOWSKI, the name of the Senator from Arizona

[Mr. DeCONCINI] was added as a cosponsor of S. 764, a bill to deny funds for projects using products or services of foreign countries that deny fair market opportunities.

S. 780

At the request of Mr. REID, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 780, a bill to amend the enforcement provisions of the Federal Election Campaign Act of 1971.

S. 818

At the request of Mr. DOMENICI, the names of the Senator from North Dakota [Mr. CONRAD], and the Senator from New York [Mr. MOYNIHAN] were added as cosponsors of S. 818, a bill to provide permanent authorization for White House Conferences on Small Business.

S. 840

At the request of Mr. THURMOND, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 840, a bill to recognize the organization known as the 82d Airborne Division Association, Inc.

S. 907

At the request of Mr. HOLLINGS, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Hawaii [Mr. INOUE], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of S. 907, a bill to further U.S. technological leadership by providing for support by the Department of Commerce of cooperative centers for the transfer of research in manufacturing, and for other purposes.

S. 957

At the request of Mr. THURMOND, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 957, a bill to name the post-baccalaureate achievement program under subpart 4 of part A of title IV of the Higher Education Act of 1965 as the "Ronald E. McNair Post-Baccalaureate Achievement Program."

S. 999

At the request of Mr. CRANSTON, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 999, a bill to amend title 38, United States Code, and the Veterans' Job Training Act to improve veterans employment, counseling, and job-training services and program.

S. 1027

At the request of Mr. HUMPHREY, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 1027, a bill to prohibit trade between the Soviet puppet regime in Afghanistan and the United States.

S. 1059

At the request of Mr. MOYNIHAN, the name of the Senator from Florida [Mr. CHILES] was added as a cosponsor of S. 1059, a bill to terminate the application of certain Veterans' Adminis-

tration regulations relating to transportation of claimants and beneficiaries in connection with Veterans' Administration medical care.

SENATE JOINT RESOLUTION 1

At the request of Mr. KENNEDY, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for women and men.

SENATE JOINT RESOLUTION 11

At the request of Mr. THURMOND, the name of the Senator from Wyoming [Mr. WALLOP] was added as a cosponsor of Senate Joint Resolution 11, a joint resolution proposing an amendment to the Constitution relating to Federal balanced budget.

SENATE JOINT RESOLUTION 14

At the request of Mr. HELMS, the names of the Senator from Kansas [Mr. DOLE] and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of Senate Joint Resolution 14, a joint resolution to designate the third week of June of each year as "National Dairy Goat Awareness Week."

SENATE JOINT RESOLUTION 75

At the request of Mr. THURMOND, the names of the Senator from Kentucky [Mr. McCONNELL], the Senator from Pennsylvania [Mr. HEINZ], and the Senator from Washington [Mr. ADAMS] were added as cosponsors of Senate Joint Resolution 75, a joint resolution to designate the week of August 2, 1987, through August 8, 1987, as "National Podiatric Medicine Week."

SENATE JOINT RESOLUTION 86

At the request of Mr. DeCONCINI, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Arizona [Mr. McCain], the Senator from Maryland [Ms. MIKULSKI], the Senator from Washington [Mr. ADAMS], the Senator from Georgia [Mr. FOWLER], and the Senator from Kansas [Mr. DOLE] were added as cosponsors of Senate Joint Resolution 86, a joint resolution to designate October 28, 1987, as "National Immigrants Day."

SENATE CONCURRENT RESOLUTION 29

At the request of Mr. DeCONCINI, the names of the Senator from Minnesota [Mr. DURENBERGER], the Senator from Indiana [Mr. LUGAR], the Senator from New York [Mr. MOYNIHAN], and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of Senate Concurrent Resolution 29, a concurrent resolution expressing the sense of Congress regarding the inability of American citizens to maintain regular contact with relatives in the Soviet Union.

AMENDMENT NO. 160

At the request of Mr. CRANSTON, the name of the Senator from Florida [Mr. GRAHAM] was added as a cospon-

sor of amendment No. 160 intended to be proposed to S. 999, a bill to amend title 38, United States Code, and the Veterans' Job Training Act to improve veterans employment, counseling, and job-training services and programs.

AMENDMENT NO. 178

At the request of Mr. MOYNIHAN, the name of the Senator from New Hampshire [Mr. HUMPHREY] and the Senator from Iowa [Mr. GRASSLEY] were withdrawn as cosponsors of amendment No. 178 intended to be proposed to S. 20, a bill to provide for the protection of ground water through State standards, planning, and protection programs.

SENATE RESOLUTION 196—AUTHORIZING TESTIMONY BY CERTAIN SENATE EMPLOYEES

Mr. BYRD (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 196

Whereas, in the case of Commonwealth of Kentucky v. Geoffrey M. Young, No. 86-M-7348A, pending in the Fayette District Court in the Commonwealth of Kentucky, Samuel Thornton Hall, a former Senate employee in Senator Mitch McConnell's Lexington, Kentucky office, has been subpoenaed to testify by the Commonwealth of Kentucky and by the defendant, and Barbara Mook, a current employee in Senator McConnell's Lexington, Kentucky office, has been subpoenaed to testify by the defendant;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that testimony by present and former Senate employees may be needed in any court for the promotion of justice, the Senate will act to promote the ends of justice in a manner consistent with the privileges and rights of the Senate: Now, therefore be it

Resolved, That Samuel Thornton Hall and Barbara Mook are authorized to testify in the case of Commonwealth of Kentucky v. Geoffrey M. Young, except concerning matters which are privileged.

SENATE RESOLUTION 197—EXPRESSING THE SENSE OF THE SENATE REGARDING EARLY DEPLOYMENT AND FULL-SCALE ENGINEERING DEVELOPMENT OF AN ANTIBALLISTIC MISSILE SYSTEM

Mr. SIMON submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 197

Whereas the Strategic Defense Initiative (SDI) is only in its fourth year of research;

Whereas the 1983 Defensive Technologies Study Team, commissioned by the President to study the feasibility of defense against ballistic missiles, advocated a series of re-

search programs of 5 to 10 year durations and 10 to 20 year durations, and such research programs were subsequently undertaken by the Department of Defense and are currently being administered by the Strategic Defense Initiative Organization (SDIO) and the Department of Energy;

Whereas in April of 1984 the Department of Defense, in citing the Defensive Technologies Study Team report, stated in connection with the SDI program that "An informed decision on system development cannot be made before the end of the decade";

Whereas the SDI program has been funded by Congress on the premise that at the conclusion of the research programs advocated by the Defensive Technologies Study Team, the United States would, at the conclusion of such programs, and only then, be in a position to make an informed decision regarding the development and deployment of a strategic defense system.

Whereas the SDI program is constrained by law to be carried out in accordance with the terms of the Anti-Ballistic Missile Treaty of 1972;

Whereas it has not been demonstrated that a strategic defense system developed as a consequence of research, development, testing, and evaluation conducted on the SDI program is survivable and cost-effective at the margin as required by section 222 of the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 613);

Whereas the SDI Organization has repeatedly stressed its inability, based on funding growth below budget requests, to carry out its mission of evaluating and presenting the research results for an early deployment decision in the 1990s;

Whereas an early deployment or full-scale engineering development decision must necessarily be made before all relevant research data has been conducted and assessed;

Whereas the Chairman of the Joint Chiefs of Staff, in connection with the deployment of an anti-ballistic missile system has said that "a full assessment of the military utility remains to be accomplished" and has advised that "a deployment decision is premature until sufficient data are available to complete this assessment";

Whereas the military-strategic, arms control, and economic consequences of an early deployment or full-scale engineering development decision remain uncertain and may prove adverse to United States national security, especially a deployment consisting of limited systems of partial effectiveness; and

Whereas the Secretary of Defense has not consulted adequately with Congress on the advisability of an early deployment decision or a full-scale engineering development decision for any or all SDI program elements: Now, therefore, be it

Resolved, That it is the sense of the Senate that, in the absence of significant violations, break-out, or abrogation of the Anti-Ballistic Missile Treaty of 1972 by the Soviet Union, it is not in the national security interest of the United States during 1987 and 1988:

(1) to provide for the early deployment of any element of a strategic defense system or to carry out any other activity constrained by the Anti-Ballistic Missile Treaty of 1972; or

(2) to proceed with full-scale engineering development on any element of the Strategic Defense Initiative program or on any system or component designed to counter strategic ballistic missiles in flight trajectory.

● Mr. SIMON. Mr. President, today I am introducing a resolution that will put the Senate on record opposing any early deployment or full-scale engineering development decision on the strategic defense initiative. The Reagan administration has sent so many mixed signals on this that I believe this body must make itself clearly heard. We ought to say "no" to any premature deployment of SDI.

My resolution is straightforward. It says that, in the absence of significant Soviet violations, breakout, or abrogation of the Anti-Ballistic Missile [ABM] Treaty of 1972, it is not in the national security interest of the United States during 1987 and 1988 to provide for the early deployment of any SDI system or to proceed with full-scale engineering development on any SDI program element. I think this approach makes sense, as a first step in turning this program around and in keeping it consistent with the ABM Treaty.

A week ago I spoke in this Chamber about the dangers of an early SDI deployment. I said that the administration was playing a funny game with the English language on SDI. They call pushing the decision on SDI before any of the research results are in "early deployment." I call it premature deployment. They call their reinterpretation of the ABM Treaty of 1972 the "legally correct interpretation." I call it unconstitutional and plain wrong. They say SDI will bring us real arms control. I say it will be the death of arms control.

The issue here is not whether SDI is a good or bad idea. I do not think it is a good idea, but my resolution speaks to the wisdom of pushing ahead before all the facts are in. Moving ahead now with SDI, or rearranging projects on a crash program basis to get a rudimentary defense up in space quickly, is akin to a lawyer arguing a case without talking to his client. It's like paving a hundred-mile-long road with just 2 miles worth of asphalt. That is not a road I want to travel down.

This is a widely shared view. The American Physical Society, the Nation's leading organization of physicists, just last week released the findings of a panel study in which civilian and military scientists participated. The panel found that early deployment of SDI is not feasible and would be a poor decision. The early deployment scenario depends on kinetic energy weapons, which are far less capable than directed energy weapons like lasers and particle beams. The panel said that many issues in the directed energy field had yet to be resolved:

We estimate that even in the best of circumstances, a decade or more of intensive research would be required to provide the technical knowledge needed for an informed decision about the potential effectiveness

and survivability of directed energy weapon systems. In addition, the important issues of overall system integration and effectiveness depend critically upon information that, to our knowledge, does not yet exist.

If things are this uncertain in the directed energy area, we know that we'd be buying a much more limited system with kinetic energy weapons.

SDI was set up as a research and development program. Its goal was to explore the feasibility of antimissile research. Timetables were drawn up; funds were committed; research begun. We have only finished the first phase of this research. The SDI program managers cannot answer any of the basic questions about the program, nor should they be expected to given the early stage of the program. We don't know the costs. We don't know whether it will fulfill the criteria, set forth and accepted by this administration by Ambassador Paul Nitze, of being survivable and cost-effective at the margin. We don't know the military or arms control effects, though I would bet these effects will be negative on both counts.

What do the Joint Chiefs of Staff say? Adm. William Crowe, the Chairman of the Joint Chiefs, recently wrote that "a full assessment of the military utility remains to be accomplished," and that "a deployment decision is premature until sufficient data are available to complete this assessment." And my colleagues know that we in Congress have not been adequately consulted.

The timing of this resolution is critical. The President will soon make some crucial decisions regarding the SDI testing schedule. We have heard some voices in the administration talk about pushing certain projects into full-scale engineering development, others have talked about declaring an early deployment decision for the whole SDI program, while still others have spoken against rushing the program before its time.

I want the United States to be the leader in arms control, not the leader in the arms race. Moving ahead prematurely on SDI will simply waste a lot of money, give us hurried and uncertain results, and take us down the path of greater and greater insecurity. I hope my colleagues will join with me in expressing the sense of the Senate that the early deployment of SDI is not in our national security interest.●

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET

CHILES AMENDMENT NO. 179

Mr. CHILES proposed an amendment to amendment No. 174 proposed

by him to the instructions contained in the motion of Mr. BYRD to recommend the concurrent resolution (S. Con. Res. 49) setting forth the congressional budget for the U.S. Government for the fiscal years 1988, 1989, 1990, and 1991; as follows:

On page 35, line 52, strike "in amounts not to exceed the amounts specified in subsection (b)".

On page 36, line 8, strike "enacted that ensures" and insert "reported that will, if enacted, ensure".

On page 36, lines 15 and 16, strike "as requested by the President".

On page 36, line 39, strike "(c)" and insert "(b)".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Wednesday, April 29, 1987, at 10 a.m. to conduct a hearing on Department of Education nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, April 29, 1987, at 2 p.m. to hear testimony concerning the Department of Energy's proposal to Congress for a monitored retrievable storage facility [MRS].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, April 29, 1987, at 9 a.m. to hear testimony concerning S. 839, the Nuclear Waste Policy Act Amendments Act of 1987.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, April 29, 1987, to mark up the fiscal years 1988 and 1989 authorization legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on April 29, 1987, at 2

p.m. to hold hearings on proposed legislation authorizing funds for fiscal year 1988 for the National Aeronautics and Space Administration, focusing on the space station.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, April 29, 1987 at 2 p.m. to hold a markup for the fiscal year 1988 intelligence authorization.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to meet during the session of the Senate on April 29, 1987 at 2 p.m. to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY AND THE COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary and the Foreign Relations Committee, be authorized to meet during the session of the Senate on April 29, 1987 at 10 a.m., to hold a joint hearing on the consideration of the ABM treaty in 1972 and the constitutional implications.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Indian Affairs, be authorized to meet during the session of the Senate on Wednesday, April 29, 1987, at 2 p.m., to hold an oversight hearing on the amendments to the Indian Financing Act/Buy Indian Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENVIRONMENTAL PROTECTION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Environmental Protection, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on April 29, beginning at 10 a.m., to hold a hearing on the impacts on the marine environment of the use of tributyltin [TBT] in marine paints.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, April 29, 1987, at 10 a.m., to hear testimony on the "Reinterpretation" of the ABM Treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

FRANK CIANCIO

● Mr. WIRTH. Mr. President, I have only the greatest admiration and respect for Mr. Frank Ciano, a distinguished citizen of the State of Colorado. Frank has a remarkable record of involvement in the political process which is the bedrock on which our domestic system of government is set. Democrats of Adams County and of the entire State of Colorado are in Frank's debt for the years of investment he made in the party's activities.

Staff writer Jesse Tinsley of the Rocky Mountain News wrote a very interesting article about Frank, which appeared in the April 12 edition of the News. I believe many who see the RECORD will be interested in the history of Frank Ciano, and I therefore ask that the article which I have referenced appear in the RECORD following my remarks.

The article follows:

[From the Rocky Mountain (CO) News, Apr. 12, 1987]

DEM LEADER IN ADAMS SEES INFLUENCE WANING

(By Jesse Tinsley)

WESTMINSTER, CO.—Frank Ciano, Adams County's aging godfather of politics, has influenced an election for the last time.

Although active on several local-affairs committees, Ciano's once-mighty political clout has faded.

But old politicians never die. Although the 84-year-old Ciano—one of the longest active county (or state) Democrats—is a fringe player these days, he's not about to vanish from the Adams County political scene.

"Frank has taken a back seat, but still has a little bit of power," says county assessor Pat Reale. "He stands straight. He is very outspoken."

Ciano, himself, seems to live somewhat in the past, recalling in vivid detail his rise from community leader in the small subdivision of Welby, northwest of Commerce City, to "Mr. Adams County"—a man feared by some, respected by most.

"I became the big boss, the 'godfather,'" he said in a recent interview at his home. "No one tried to take over. I hardly had any opposition. It was pretty much my way all the way—all the way through life."

Ciano's gradual withdrawal from politics began eight years ago when his only daughter, Carol Louise, died of cancer. Since then, he and Mary, his wife of more than 50 years, have devoted much of their time and money to charity and fund-raising.

But for years, Ciano was the key political figure in what is arguably Denver's most political suburban area. Although he never held a public office, Ciano "owned a lot of politicians," says a former county official who requested anonymity.

Born Oct. 12, 1902, to Italian immigrants, Ciano grew up in Welby, and as a young man became entrenched in community work. His graduation from Manuel Training

High School was cause for celebration in the community, made up largely of first- and second-generation Italian families.

"Thereafter, any time anyone needed help, they would come to me, 'the graduate,'" says Ciancio, who became a translator and consultant for townspeople.

Ciancio was 21 and employed in the Denver city treasurer's office when he met Mary Yashvin, who was secretary to Mayor Ben Stapleton. He filled in for the mayor's vacationing chauffeur, using the opportunity to drive Mary home.

The romance was violently interrupted one day when Ciancio spotted his sweetheart walking hand in hand with another man. Ciancio chased them with his car.

"I tried to run them off the road. I scared them to death. And Mary, good-looking and built like a 16-year-old, didn't date another guy after that," Ciancio recalls with a chuckle.

By 1926, Frank and Mary opened the Welby Mercantile Co. grocery store, which they ran for 43 years. During the Depression, the Cincios extended credit to farmers and others who fell on hard times.

"They were honest people. I carried them, because I knew I would eventually get my money. I was established, and the bank carried me," Ciancio says.

The couple later added a restaurant, Ciancio's Famous Dinners. From 1935 to 1965, Mary Ciancio was head chef at the popular restaurant, which attracted many Denver politicians. Frank Ciancio even created a special back room for private meetings.

During those years, Ciancio was given to calling himself the "Mayor of Welby," a community many believe was the birthplace of Adams County's Democratic Party.

Today, Democrats control the county and hold most elected county seats.

Over the years, Ciancio—a flashy dresser and dancer—gained a reputation for doing what he pleased.

He married Mary, a Jew, when it was unfashionable for Christians and Jews to wed. During the years the Ku Klux Klan was prominent in Denver, his best friend was a black man. KKK members, he says, used to burn crosses near his neighborhood.

"They (KKK) were pretty afraid. They always considered me a part of the mafia. The funny thing about it is that I knew less about the mafia then they did," Ciancio said.

Many people say Mary Ciancio has been the secret strength behind her husband. "He had the B.S. and she had the brains," one Adams County politician says. Ciancio, himself, says he would be a dangerous man if he had his wife's brains.

"If I had a mind like her's, you couldn't talk to me. I would charge you a hundred dollars a minute." ●

S. 56, THE MASAU TRAIL/EL MALPAIS ACT

● Mr. DOMENICI. Mr. President, on the first day of the 100th Congress, I introduced S. 56, the Masau Trail/El Malpais Act.

This important bill will create three new attractions: The Masau Trail, El Malpais National Monument, and the Grants National Conservation Area. This legislation will focus national attention on the magnificent treasures of northwestern New Mexico, encouraging tourists from all over the world to visit New Mexico.

The Masau Trail will be an automobile touring route that will link various historic and prehistoric sites of interest in northwestern New Mexico. The purpose of the trail is to introduce visitors to the wealth of historic, natural, and cultural sites in northwestern New Mexico, and to give them a perspective on the Indian history of the region.

El Malpais National Monument will be the first national monument created by the United States since 1982. The national monument will protect the extensive lava flows south of Grants, NM. One of the key attractions of El Malpais National Monument will be ice caves found beneath the lava flows.

My bill will also establish a national conservation area. This area, to be administered by the Bureau of Land Management, will surround the national monument. The conservation area will provide protection to the thousands of archeological sites within its boundaries, while allowing traditional uses of the land, such as hunting, grazing, and wood gathering, to continue.

This bill will provide protection to some of New Mexico's unique natural resources, while promoting tourism in northwestern New Mexico.

Hearings were held on S. 56 in February. I anticipate that the Energy and Natural Resources Committee will report the measure favorable in the near future.

Mr. President, in anticipation of Senate consideration of the measure, I would like to refer my colleagues to an article about El Malpais that appeared recently in the Albuquerque Tribune. The article, written by Mike Richie, details the scenic beauty and cultural treasures of the Malpais area. I encourage my colleagues to read it, and support the Masau Trail/El Malpais Act when it comes to the floor for consideration.

Mr. President, I ask that the article to which I just referred be printed in the RECORD.

The article follows:

[From the Albuquerque (NM) Tribune, Apr. 9, 1987]

THE LEGACY OF LAVA: ANCIENT MALPAIS OFFERS LANDSCAPE OF IMPRESSIVE CONES, CRATERS, CLIFFS

(By Mike Richie)

It comes as a surprise.

The sign reads matter-of-factly: "Sandstone Bluffs Overlook."

You walk a few yards up a gritty incline, and the view suddenly explodes outward over huge, black lava fields.

The wrinkled flow stretches south to north as far as the eye can see. Forty miles long and up to 18 wide, it is contained on the east by a line of bluffs and on the west by a chain of large cinder cones.

In spots the lava appears so fresh that you can almost see steam rising from masses of glowing coals.

You raise your eyes a few degrees to the north and sight along the cliff-top snaking

away for miles until it converges with the base of Mount Taylor.

Covered with snow, the 11,300-foot cone hovers pristine white, incongruous above the horizon.

Most New Mexicans know the "Malpais," or "bad country," as a short stretch of tortured earth—actually only the lava flow's leading edge—that surrounds the freeway east of Grants.

But it is more: South of the highway are 84,000 acres of rugged lava fields, picturesque sandstone cliffs and impressive volcanic cones and craters.

For 20 years efforts have been going on to make this scenic area, one of the best examples of volcanism in the continental United States, into a national monument.

Now it seems certain to happen. Legislation with the strong backing of the state's congressional delegation has been introduced in both houses of Congress, and floor action is expected perhaps as soon as this summer.

Only an hour and a quarter drive from Albuquerque, the lava flow is encircled by highways providing easy access to many points of interest.

Sandwiched between a huge mesa and the lava, N.M. 117 skirts the eastern edge. Dun and cream-colored cliffs are sculpted into complex shapes.

The largest natural bridge in the state is here along with a freestanding formation dubbed La Vieja, or the "old woman," which has an amazing resemblance in profile to its namesake.

Ponderosa pines cling to the rubble along the cliff base; virile junipers claw at bare rock. Sandstone Bluffs Overlook turns off the east road.

On the west, County Road 109 winds past the edge of the Zuni Mountains near the Continental Divide through a chain of 30 cinder cones 20 miles long. Often perfectly symmetrical, up to 600 feet high and pierced by huge craters, they tower over the oldest Malpais flows.

Magnificent ponderosa forests are interspersed with thick, branching oaks coated in richly colored, cafe-au-lait leaves. The privately owned Ice Caves and Bandera Crater are on this route.

Either the east or west road makes for a relaxing day trip. They do connect, but there's so much to see that the whole circuit might be rushing it.

On the other hand, if you're out for adventure the Malpais offers plenty.

Ancient Anasazi footpaths, marked with original sandstone blocks and cairns, meander across the lava avoiding numerous sink holes and chasms.

Mysterious stone runs ranging from simple shelter walls to well-built structures are tucked away, often in cave mouths. A large kiva lies hidden in the heart of the flow.

Over the years much high quality Anasazi pottery and basketry has been discovered in the labyrinth of caves that riddles the lava. During the '50s, Boy Scouts exploring an ice cave came upon 30 of the most perfectly preserved Anasazi baskets ever found. Unfortunately, looting has been a problem.

Eight lava tube systems are concentrated in the northwest portion of the flow. Some of these cave-like structures measure 50 feet in diameter and extend for miles.

Many have collapsed sections resulting in large natural arches. Several contain ice crystal ceilings, shimmering ice stalagmites, and skating rink floors.

In places the fields are interrupted by upraised "islands" that the lava flowed around instead of over. The largest, called "Hole-in-the-Wall," shelters interesting flora and fauna.

One hundred bird species, 39 mammals and 9 species of reptiles and amphibians live on or around the lava. More than 105 ponds, a few up to an acre in size, dot the flow, drawing plants and animals not usually found in this region.

You might even stumble on treasure. Legends certainly abound. One of the most persistent concerns two golden church bells hidden by friars because of impending Indian attacks.

Whatever your reason for hiking into the flow, be careful. The terrain is exceedingly rugged, potentially dangerous and there's no water in many areas.

In all its variety the Malpais is primarily a geologic phenomenon, the result of five distinct flows between 400 years old and not more than 1,000. The relative lack of erosion has left many volcanic features perfectly intact.

The Malpais lava originated below the Earth's outer crust, with 2 cubic miles of molten rock spreading into a 125-square-mile sheet. Impressive, yet just the last spurt of massive volcanic activity involving Mount Taylor and stretching back 4 million years.

Viewed on an even larger scale, the Malpais is a pinpoint on the "ring of fire" that passes through Colorado, New Mexico, Arizona, Utah and outlines the so-called Colorado plateau.

Pulled apart and twisted to the breaking point, the continental crust has fractured allowing molten interior rock to pour forth.

Now there's something to think about as you stand at Sandstone Bluffs Overlook or penetrate the flow's mysterious interior.●

GROUND WATER PROTECTION ACT OF 1987

● Mr. MITCHELL. Mr. President, I am pleased to join Senators BURDICK, DURENBERGER, MOYNIHAN, and others in introducing legislation to expand and strengthen research of our ground water resources.

I am also pleased to join Senator MOYNIHAN and others in introducing identical legislation as an amendment to S. 20. S. 20 is a bill to provide for comprehensive protection of ground water which Senator MOYNIHAN and I introduced with others earlier this year.

Ground water is a natural resource of great importance to the country. Half of the population of the United States, and the great majority of those living in rural areas, rely on ground water for drinking water. In my home State of Maine, 57 percent of the population relies on ground water for domestic supply.

Ground water contamination is a problem in virtually all areas of the country. Sources of ground water contamination include waste disposal sites, leaking underground storage tanks, and application of pesticides and fertilizers. Contaminants from these sources are known to cause adverse health and environmental ef-

fects and to impose large costs in treatment and remediation.

The State of Maine has not escaped ground water pollution. Throughout the State there are increasing reports of ground water pollution problems associated with leaking underground storage tanks, waste disposal sites, and subsurface sewage disposal.

A number of Federal agencies are involved in ground water research. The current research program, however, does not provide sufficient information about the locations and amounts of ground water, the health effects of ground water contaminants, the causes and extent of ground water contamination, and the most efficient methods of preventing and controlling ground water contamination.

Our bill will both expand the National Ground Water Research Program and clarify and coordinate the efforts of the Federal agencies involved in this work.

Title I of the bill creates a comprehensive Ground Water Research Program at the Environmental Protection Agency. The bill specifies the research authorities of the Agency, provides for expanded research of methods and practices for control of contamination, and provides for a new program of research into the health effects of contaminants found in ground water. A research committee is established to coordinate these research efforts.

Title II of the bill specifies the role of the U.S. Geological Survey in ground water research. The bill provides for continuation and expansion of programs to determine the locations and amounts of ground water and to assess the quantity and quality of the ground water resource. The bill also directs the USGS to develop a national inventory of ground water resources and to report to Congress on the findings of the inventory.

Other provisions of the bill create a series of ground water research institutes, provide for national assessments of individual sources of contamination, provide specific authority for the work of the Agricultural Research Service, establish a national ground water information clearinghouse, and require special studies of methods of control for specific contamination problems.

This legislation is an important step forward in our efforts to protect our ground water resources. I look forward to working with Senator BURDICK and others on the Environment and Public Works Committee in development of this legislation over the next several months.●

CURWENSVILLE HIGH SCHOOL ALUMNI ASSOCIATION

● Mr. HEINZ. Mr. President, I rise to extend my warmest congratulations to the Curwensville High School Alumni Association of Curwensville, PA, which

will celebrate its 100th anniversary on May 23, 1987.

For a century, the Curwensville High School Alumni Association has entertained graduating seniors and welcomed them as its newest members. This tradition dates back to the old Patton Graded Public School, which granted its first diploma in 1886.

Since that time, the Curwensville High School Alumni Association has raised funds to support a variety of activities, from providing the school with new furniture to the annual presentation of a college scholarship to a member of the senior class.

I want to commend the Curwensville High School Alumni Association for its 100 years of dedicated service to the students and faculty of the school, the community of Curwensville, and the State of Pennsylvania.●

SENATORIAL ELECTION CAMPAIGN ACT ON 1987

● Mr. BOREN. Mr. President, I wish to commend the chairman and member of the Rules and Administration Committee in reporting out S. 2, the Senatorial Election Campaign Act of 1987. By adopting the substitute amendment offered by the distinguished chairman, Senator FORD, the committee has strengthened the bill overall and helped pave the way for passage of this vital reform.

In the amendment, which has accepted by the committee in a vote of 8 to 3, the committee has improved S. 2 by requiring that to qualify as a participating candidate, the candidate must also submit to a primary spending limit equal to 67 percent of the general election limit.

The committee also adjusted the aggregate PAC limit of the original S. 2, by making the limit equal to 20 percent of the general election limit. This makes only a minimal change on the whole from the original bill.

Further, the committee accepted legislative language to require complete disclosure of "soft money"—those contributions or expenditures that may be directed to non-Federal political committees, and used to help influence congressional elections. Typical; soft money expenditures are: voter registration drives, get-out-the-vote efforts, political party building funds, or general political advertising which may directly or indirectly refer to or be intended to benefit a particular candidate.

The committee has also improved the "bundling" provision of S. 2 by tightening the language of the original bill so that the spirit, intent and effect of closing the loophole can be achieved.

While I have some questions and slight reservations of the substitute, I do believe it is a better bill than the

original S. 2. I further believe that we must all join together in a spirit of nonpartisanship in moving to adopt this bill very soon to allow the House of Representatives time to consider comprehensive legislation this year.

The most important aspect of this legislation is retained in the form of a voluntary, partial public financing system—patterned after the current Presidential system. This system is designed to achieve overall expenditure limits.

Some opponents of reform have forwarded public opinion polls to illustrate their view that the American people will not accept such a system. I, too, have seen polls. A July 1984 Gallup Poll, in asking the question of whether or not Government funding of congressional campaigns is or is not a good idea, had 52 percent of those polled responding favorably and only 36 percent objecting. This source is clearly a more respected poll than others I have seen.

Additionally, some have rhetorically claimed that such a system if extended to the House of Representatives could cost as much as \$1 billion a year. The CBO and FEC both have concluded that such a provision for Senate elections would have an annual budget impact of less than \$50 million in 1988. The arithmetic which derives \$1 billion cost lacks factual basis and attempts to cloud the real issues before the Senate.

Mr. President, I commend the chairman, the members and the majority leader for their dedicated and inspired efforts in working on this legislation. Their work exemplifies the kind of leadership needed to put the public interest ahead of special interests.●

NAUM MEIMAN

● Mr. SIMON. Mr. President, there have been indications of reform in the Soviet Union over the past 3 months. Greater openness within the media has been permitted. Selected Prisoners of Conscience have been released, and emigration levels have picked up slightly. Although the changes have not been dramatic, I strongly encourage the Soviet Government to continue implementing them.

The question remains unanswered, however, whether the Soviet Union is sincere about its desire to promote glasnost. A group of recently released Prisoners of Conscience have stated that reforms have practically grinded to a halt. Therefore, in order to demonstrate the validity of the new Soviet policy, substantial changes in human rights must occur.

It is imperative that Soviet refusniks who desire to practice their religion freely in the West be permitted to emigrate. Among the hundreds of thousands of Jews waiting for exit visas is Naum Meiman, a political ac-

tivist who has been denied permission to leave for over 10 years. Naum is recovering from the recent loss of his wife, Inna, and desperately wishes to live in the West.

I urge the Soviet Union to grant Naum Meiman an exit visa.●

SALUTE TO FATHER PAULSEN

● Mr. LEVIN. Mr. President, for more than 20 years, Father Casimir Paulsen, an American priest of the Mariannhill Mission, has worked to improve the well-being of the people of southern Africa. Not a politician, not a leader of masses, Father Cas—as his friends call him—has been instead a soft-spoken preacher, a teacher, a counselor, a healer of the spirit, a helper to the poor—in short, a diligent doer of God's work among individuals and their families. He has been particularly concerned with the young, those on whom the future of that tortured region depends.

Over the years, amid growing injustice, oppression, and violence, Father Cas has spoken out against what he saw as growing evil by man against man. Suddenly, last December, in the Transkei, where he had been assigned since 1978, he was arrested and taken away. And, as he revealed later, he was tortured, in a fruitless effort to make him confess to being party to acts of resistance which the government there was and is trying to put down.

The improper, cruel detention of Father Paulsen was protested by many of us, here and across the country. We talked, we wrote letters, we explored whatever channels we could, we banged and banged again on the Government of South Africa. And finally, after 3 months, Father Cas was released, as abruptly as he had been seized, with no explanation, much less an apology, just an order of expulsion.

Since then, in safer places, Father Cas has been recuperating, and recounting his terrible experiences to his colleagues and superiors in the church in Africa and in Europe. Easter Sunday he was in Rome and participated in a mass celebrated by the Pope. And last week, for the first time in several years, he returned to his native shores. He will soon head back to his home State of Michigan, to be with family and friends there and to celebrate his 25th anniversary in the priesthood.

At a recent news conference that Senator RIEGLE and I hosted for him, Father Paulsen discussed his harrowing experiences and shared his observations on the terrible events that have been occurring in South Africa. And he asked me to express to our colleagues his deep appreciation of our efforts to help gain his freedom. We, in turn, Mr. President, can thank God that Father Cas is free and is once again able to raise his voice against

the injustice and terror of South Africa's racial policies.●

THE THREE PERIODS OF ZBIGNIEW BRZEZINSKI

● Mr. HECHT. Mr. President, I will ask that excerpts from an excellent article by Mr. Lev Navrozov entitled "Zbigniew Brzezinski's Third Reincarnation," be printed in the RECORD. This is a very interesting and well researched article, and I commend it to my colleagues. While Zbigniew Brzezinski has served former President Carter well, he is also today saying some good things in support of President Reagan's strategic defense initiative and national security policies. I am glad that Zbig is now on the side of a tough, anti-Communist foreign policy, and Republicans welcome his support for President Reagan's efforts to restore America's strength.

Mr. Lev Navrozov emigrated from the Soviet Union in 1972, and since then Lev has been one of the most incisive analysts of American foreign policy.

Lev's article was published in the Winter issue of *Global Affairs*. This journal is a strong new voice in international affairs. *Global Affairs* provides the Congress with a realistic perspective on international relations. It is an outstanding new publication now in its second year, which provides a forum for responsible and expert views on international security affairs. Its pages are filled with hard facts, realistic analysis, and not rhetoric. It is published by the International Security Council, an organization aimed at deepening the public understanding of the dangers confronting free societies everywhere. Updates on the International Security Council's activities are published in each issue of *Global Affairs*. These updates are statements, signed by seasoned experts on international relations, who attended the council's international seminars and conferences. *Global Affairs* is "must reading" in a town filled with publications.

I ask that the excerpts from the article be printed in the RECORD.

The excerpts follow:

ZBIGNIEW BRZEZINSKI'S THIRD REINCARNATION

(By Lev Navrozov)

The books and articles that Zbigniew Brzezinski published before 1962, between 1964 and 1976, and since 1983 seem to have been written by three strikingly different individuals who have never even met to exchange their strikingly different views.

Let us take as an example the treatment of mainland China.

In his *Memoirs of the National Security Adviser*, published in 1983, Brzezinski recalls how he wrote to President Carter that "we would acknowledge the Chinese position [that is, the position of the post-1949 rulers of mainland China] that there is one China and that Taiwan is part of it." In 1978 Brze-

zinski personally took to the rulers of mainland China the glad news that the United States "would terminate relations with Taiwan, withdraw all U.S. military personnel and installations from Taiwan, and abrogate the U.S.-Taiwan Security Treaty." In return, the rulers of mainland China graciously agreed to what is called, in out-dated diplomatic lingo, "normalization of relations."

In his glowing description of how he "normalized relations" with mainland China, Brzezinski conforms to the current prevailing academic-government consensus that the purpose of diplomacy is to "improve relations" at any cost and with any country, be it Mao's China in 1971 or Khomeini's Iran in 1985 or Gorbachev's Russia in 1986. By "relations with a country" is meant what Brzezinski describes as "warm personal relationship"—in this case, between himself and representatives of the present regime of mainland China, with all attending rituals of eighteenth- or nineteenth-century diplomacy, expressing mutual peacefulness, friendship, cultural interest, etc. American diplomacy has been taking such exchanges at their face value, while the regimes that came to be called in the late 1920s totalitarian see "normalization" as an expanded opportunity for espionage; acquisition of credits, strategic technology, and scientific data; and sometimes for direct military aid.

But whatever view one may hold of the benefit of "normalization" to the West, Brzezinski's trip to mainland China, which he described as one of the greatest achievements in world politics, was an act of diplomatic illiteracy. In case of a Soviet war against China, American military aid was (and is) a life-and-death need for its rulers. On the other hand, no matter how loyal to the United States these rulers are imagined to be, they were (and are) unable to help the United States to avoid, for example, a Soviet surprise missile attack on the U.S. retaliatory potential in general or command, control, and communications.

The life and death of the rulers of mainland China depended on the United States (but not vice versa), and they would have agreed to receive American financial, technological, scientific, and military aid without Brzezinski's eager concession of Taiwan (which the Brzezinski of 1961 had called only by its Japanese name Formosa).

Having gained nothing except the ambiguous "normalization," Carter-Brzezinski dealt yet another blow to Western strategy. Any Western ally, be it a country or group or individual opposed to the rulers of today's two totalitarian giants, would trust the United States far less after it betrayed an ally that had been loyal to the United States in the critical hours of World War II following Japan's Pearl Harbor attack. It is possible that the United States would have been unable to prevent, without enormous expense, the defeat of its ally in mainland China in 1949. But why betray it again in 1978 just to curry favor with the post-1949 rulers of mainland China?

Brzezinski does not see it that way. The chapter about his trip to mainland China contains thirty-seven pages, but not even once does he use the words "Communist" or "communism," not to mention the word "totalitarian." From his text, no reader could surmise that mainland China is, ever was, or ever may be, Communist or totalitarian. He defines his task as "the resumption of the political, economic, and social ties that had been ruptured in 1949 with the most populous, one of the most ancient, and potential-

ly one of the most powerful countries in the world." Why were they ruptured? There is not a hint. Perhaps the young and raw United States had offended this ancient country, or it was a sheer accidental misunderstanding. On Brzezinski's recommendation, Carter said at Notre Dame in May 1977: "We see the American-Chinese relationship as a central [!] element of our global policy . . . We wish to cooperate closely with the creative Chinese people . . ." In his "toast of the evening banquet" in Peking, Brzezinski spoke of "friendship." As usual in such memoirs (suffice it to recall those written by enchanted travelers in post-1917 Russia) he describes his "experience" as a "profoundly moving one." He recalls a "visit to the Mao mausoleum." Who was that Mao? "Vice-Premier Deng" explains: "Chairman Mao Zedong was a soldier, Zhou Enlai was also a soldier, and I, too." Who is Hua Guofeng? Brzezinski explains: "Hua had the bearing that the Chinese Emperor is supposed to possess."

So Brzezinski was in the same China it had been before 1949 and in the third century B.C. ("a civilization unto itself, quite apart and distinctive"). Yet while ancient, it was future-oriented. Brzezinski was driven about "in a luxurious Chinese-made car, very reminiscent of a Rolls-Royce." He had brought from Carter a "piece of the moon for you [that is, the emperors-soldiers of mainland China] and the Chinese people [whom Brzezinski perceives as a single entity with the emperors-soldiers]—symbolic of our joint quest for a better future." According to the press of the time, Brzezinski came with "a Chinese flag [that is, the flag of the post-1949 regime of mainland China] that had been carried to the moon and back by U.S. astronauts." Under the circumstances, Taiwan—now never called Formosa by Brzezinski—was bound to belong to this ever ancient (yet future-oriented) civilization.

Brzezinski knew that his "symbolic betrayal" of those whom he called in 1961 "the Chinese government on Formosa" (as he worried about their security vs. "red China") would raise an outcry in the United States. Therefore, it has been concealed from the American public during his preparations for the trip and the trip itself. Orally and confidentially, he conveyed to the rulers of mainland China that "we will try to be as restrained as we can on the subject of arms sales [to Taiwan after "normalization"]", but within the United States political process it is simply impossible for the United States not to reaffirm its position on the subject." Thus the wise rulers of ancient China and wise Brzezinski came to a confidential oral understanding as to how to get around the unwise section of the American public and the "United States political process," and thus achieve what Brzezinski defines as "some eventual reunification," after "the historically transitional era."

In his recently published *Game Plan: How to Conduct the U.S.-Soviet Contest*, Brzezinski takes another step in the same direction and proposes (p. 196) a "strategic triangle"—the "United States, Japan, and China." A whole subsection of the book entitled "The Pacific Triangle," expounds the alliance. No reader can surmise from the text that post-1949 China differs sociopolitically from today's Japan or the United States or can be anything but their true ally and Russia's implacable foe forever. On the contrary, Brzezinski contends that for Russia it is easier to "incite cleavage" between Western Europe and the United

States than between China and the United States. We learn that "the spectre of China has long haunted the Russian popular consciousness, with its deeply ingrained preoccupation with the 'yellow peril'." Mutual historical Sino-Soviet "animosities" provide "a strong psychological underpinning for the vital Pacific triangle."

So much for their treatment of mainland China by the Brzezinski of 1978 to 1986.

On the other hand, in 1961 there lived an entirely different Brzezinski, who concluded in his *Foreign Affairs* article: "The [Sino-Soviet] bloc is not splitting and is not likely to split." Just as the Brzezinski of 1983 does not use the words "Communist" or "communism" even once in thirty-seven pages about mainland China, the Brzezinski of 1961 used them twenty-six times in the concluding four and a half pages of his *Foreign Affairs* article.

Not that Brzezinski refused to see changes "within the bloc." Quite the contrary. What were they? The "Soviet bloc" was "becoming a Communist camp."

In reality, even from 1949 to 1953 the "monolithic Sino-Soviet bloc" had been a deception at which Mao and Stalin had been playing to their mutual advantage. Since Mao needed Stalin more than vice versa, Mao played at it hard, while Stalin responded with such disdainful nonchalance that it was obvious that the unsplit monolith never existed. How could it have existed? "Monolithic unity" existed between Stalin and those whose power depended on him. Mao's did not.

But apart from this axiomatic assumption that the unsplit ("monolithic") "Communist camp" never existed, the evidence that had become generally known to the West since 1956 demonstrated beyond doubt that there had been a "Sino-Soviet conflict." "Talk of a Sino-Soviet conflict," declared Brzezinski in 1961, "merely illustrates a profound misconception of the essence of the historical phenomenon of Communism."

In a 300-page study of the subject, duly entitled *The Soviet Bloc: Unity and Conflict* and published in 1960, a subsection is entitled "Diversity in Unity: The Chinese Solution." The conclusion is: "In brief, the Chinese seem determined to set up a pattern of ideological and political unity, while recognizing the possibility of local diversity." The motto "diversity in unity" (*E pluribus unum*), which defines the pluralism of a modern constitutional democracy, caught hold of Brzezinski's mind in regard to the "Communist camp," and he rang all changes on the phrase. "The Sino-Soviet relationship, therefore," he concluded in *The Reporter* late in 1960, "can best be described as that of divergent unity, with the mutual and sincere emphasis on unity shielding persistent divergences." "Diversity within unity" is the title of a section of his address in 1961 before the American Academy of Political and Social Science, *Political Developments in the Sino-Soviet Bloc*. "Thus," Brzezinski sums up, "diversity within unity is a major and very important trend which we should observe in trying to analyze the future of Communism within the framework of the Sino-Soviet bloc." "Indeed, as I have tried to suggest, they argue a great deal," readily admits Brzezinski, "but even argument is a form of unity." I do not expect splits and disintegration of the Communist world," he repeats again. On the contrary, a "basic and meaningful trend" is the "energetic development of the economic and political integration of the Sino-Soviet bloc."

As these publications came out, the "Sino-Soviet conflict" grew into an open power struggle. Yet Brzezinski's book *Ideology and Power in Soviet Politics*, which appeared in 1962, contained the same text: "The [Sino-Soviet] bloc is not splitting and is not likely to split." In 1963, Brzezinski's *Foreign Affairs* article was reprinted in a *Foreign Affairs* reader, presumably containing the best articles of the magazine had published since 1922. "The bloc is not splitting and is not likely to split," the text repeated in 1963; the editorial introduction to the article said that Sino-Soviet relations had been "analyzed with great subtlety and insight by Zbigniew Brzezinski."

Naturally, one Brzezinski did not change over into another within one day. Thus, the year of 1963 was transitional, when there existed two Brzezinskis, the old and the new. The new one contended in his new "Foreign Affairs" article of April 1963 that the split had occurred. But how can communism split, considering Brzezinski's "essence of the historical phenomenon of Communism"? "The failure of international Communism to prevent the schism appears to be rooted in certain generic peculiarities of Communism itself."

Curiously, the editor of "Foreign Affairs" believed that Brzezinski analyzed Sino-Soviet relations "with great subtlety and insight" when the old Brzezinski stated that the "bloc is not splitting and is not likely to split," while the new Brzezinski stated that, yes, it had split.

"But what if a Sino-Soviet split does occur, contrary to the old Brzezinski's subtle and insightful analysis and according to the new Brzezinski's no less subtle and insightful analysis?" an impertinent skeptic might have asked in 1963. For such a case, the old Brzezinski drew the following conclusion: "From a Western point of view, a prolonged situation of formal Sino-Soviet unity with some degree of divergence is distinctly preferable to an open rupture. A throughgoing split would bode ill for the world."

Thus Brzezinski arrived at a conclusion running counter not only to the first principles of strategy as it has been known since the dawn of history, but even to strategic animal instinct (since even animals try to divide their enemies). How did he manage to do this?

What is similar to each of the three Brzezinskis is the choice of certain pseudo-generalizations after which all evidence contradicting them, all of his previous books and articles, all reality and all common sense or logic vanish from his mind. In his "Game Plan," one such pseudo-generalization is that the "spectre of China has long been haunting the Russian popular consciousness," etc. The proof, evidence, basis? Brzezinski has only one relevant paragraph:

"It is revealing to note that this fear was apparent as early as the turn of this century in the most popular 'futurological' book in Russia, the work of a Russian historian-philosopher, V.S. Soloviev, which speculated on the likely state of affairs by the year 2000. In his 'War and Christianity: From the Russian Point of View, Three Conversations' (1902), Soloviev predicted that the Japanese would assimilate Western values and techniques, that they would eventually forge an alliance with the Chinese, and that sometime toward the end of the twentieth century China and Japan, by then both highly industrialized, would jointly sweep westward across all of Russia."

"To forstall such a development, the Soviet leaders . . ."

Vladimir Solovyov (Soloviev) was not a historian (his father was), but a minor poet and "theosophe". His book is entitled "Three Conversations about War, Progress and the End of World History, with a Short Narrative about the Anti-Christ." In the "narrative," the emergence of the anti-Christ, the world ruler, who only pretends to be a good Christian, is preceded by a short (four-page) episode: In the name of pan-Mongolism, Japan conquers China and with the help of the conquered Chinese occupies Christendom for half a century, whereupon Christendom chases the "Mongols" away, after which the anti-Christ emerges, and the rest of the narrative (forty pages) describes his struggles against true Christians.

If such notions among various coteries of the intelligentsia have any historical influence at all, then mention can be made of the later "Eurasian" notion (to be found, for example, in the emigre-Soviet novelist Aleksei Tolstoy) that Russia is part of Asia, which must swoop on Europe like the nomads of old "to pour our hot blood into Europe's senile body."

But once Brzezinski deduced his pseudo-generalization from a four-page episode in an obscure narrative in an obscure book that was read by the esoteric few even when it was published, his pseudo-generalization, postulating intrinsic Sino-Russian "animosities," became for him equivalent to an Aristotelean tenet for a medieval scholastic or a symbol of faith for a zealot.

Similarly, in his demonstration of 1961 that a Sino-Soviet split "would bode ill for the world," Brzezinski was guided no less rigidly by another set of pseudo-generalizations, which arose in his mind from reading Soviet propaganda for years and memorizing its vocabulary: "split" or "schism" (*raskol*), "Communism," "revolutionary," "the camp of Socialism," etc. According to this set of pseudo-generalizations, "Chinese Communism" is more "revolutionary," more "radical," and hence more "militant." If a "split" occurred, "Soviet leadership" would "expel" China from the "bloc." On its own, China would "develop a more actively militant line." "The Western reaction would necessarily involve a more militant posture also." But since the "Soviet Leadership" is "Communist," too, it would not forsake "Communist China," in a "world polarized in open hostility between the United States and China," and would side with "Communist China" against the West.

Thus Brzezinski "demonstrated" the most anti-strategic principle in the history of strategy or in animal instinctive behavior, viz., that a united enemy is better than a divided one. Already in the 1960s, the Soviet war-economy began to run out of cheap abundant manpower. However, if there really existed a united "Communist camp" and the Soviet war-economy were thus able to use dozens or hundreds of millions of even cheaper Chinese workers and soldiers, it would be difficult to see how the West could survive. Fortunately, for the West, Brzezinski's wish for mainland China and Russia to constitute a united "Communist camp" has never, so far, been realized.

When Brzezinski was told in 1961 that "George V. Allen suggested that the admission of China to the United Nations might be helpful to the United States in her relations with the Chinese," Brzezinski retorted: "First of all, is it an admission as a new state or as a state replacing Formosa as the government of China? If so, will the government of China on Formosa be expelled, or will it be allowed to remain in the United

Nations? Will red China inherit the Security Council seat of the present Chinese government? What will then happen to Formosa?"

Thus, the Brzezinski of 1961 was worried that the interests of the "present Chinese government" would suffer if "red China" were admitted to the United Nations. Little did anyone know that the Brzezinski of 1978 would betray, to the rulers of "red China," that same "Chinese government" and that same Formosa.

So much for the treatment of mainland China and Formosa-Taiwan by the Brzezinski before 1963 and his opposite after 1978.

Now, the Brzezinski of his 334-page study *Between Two Ages: America's Role in the Technetronic Era*, which he published in 1970, has nothing to do either with the Brzezinski of 1961 or with that of 1986. He composed his pseudo-generalizations of 1970 by rehashing the well-known tenet of textbook Marxism, according to which the economic basis or productive forces (in Brzezinski, "technetronics, that is, technology and electronics") determine (Brzezinski says "shape") the political framework and the whole current era. Hence mankind lives between two ages: the "technetronic era" is coming to all countries, but at a different pace.

However, the established framework first resists change prompted by the developing basis (technetronics). But finally it has to yield, and this is how the (technetronic) revolution occurs. Brzezinski's description of the process seems to have been lifted bodily from one of those textbooks of Marxism that Soviet propaganda now produces, leaving intact some old Marxist terms (like "framework") and replacing others with "today's scientific and technological terms" (like "overloaded" and "input") to spruce up the nineteenth-century text:

"For a time the established framework resiliently integrates the new by adapting it in a more familiar shape. But at some point the old framework becomes overloaded. The new input can no longer be redefined into traditional forms, and eventually it asserts itself with compelling force."

Thus, the "old framework of international politics . . . is clearly no longer compatible with reality."

"There are indications that the 1970s will be dominated by growing awareness that the time has come for a common effort to shape a new framework for international politics, a framework that can serve as an effective channel for joint endeavors."

In particular: "There is already widespread agreement about the desirability of cutting arms budgets and developing international peace-keeping forces."

No "established framework," be it in Russia or the United States, can resist the (technetronic) new. Indeed, "it may be expected that the 1970s will witness the spread to the Soviet Union of convulsions similar to those that Spain, Yugoslavia, Mexico and Poland began to undergo in the late 1960s." In all countries, the "criteria for measuring status and influence" like "territorial expansion" or "military power" are on their way out in the technetronic era.

"Gradually these are giving way to rivalry in GNP figures, per-capita income and consumption data, educational opportunities, creative and scientific attainments, research and development, standards of health and nutrition, and even competitive national Olympic scores, to say nothing of the space race between the two superpowers."

Though the talks named SALT had merely started in 1970, Brzezinski refuses, in his *Between Two Ages*, to consider them: the "negotiation between two rivals": the "talks signify a de facto beginning of a joint commission on arms and strategy." What Brzezinski proposes for the technetronic era leaves all of Kissinger's detentes and SALTs far behind as rudimentary forerunners of Brzezinski's grand "community of the developed nations." Modestly, Brzezinski admits that his "community" is "less ambitious than the goal of world government." On the other hand, it is "more attainable." At the same time, his "community of the developed nations" is "more ambitious than the concept of an Atlantic community." Indeed, Brzezinski proposes a kind of super-NATO, in which Western Europe and the United States will ally with Russia, not oppose it, as they did in NATO:

"Though cognizant of present divisions between communist and non-communist nations, it attempts to create a new framework for international affairs not by exploiting these divisions but rather by striving to preserve and create openings for eventual reconciliation."

That the more technetronically developed United States will join his super-NATO is obvious from Brzezinski's Marx-inspired tenet that technetronics shapes politics. Thus, in Brzezinski's final hymn to his technetronic era on the last page of his book we hear that

"the gradual shaping of a community of the developed nations would be a realistic expression of our [American] emerging global consciousness; concentration on disseminating scientific and technological knowledge would reflect a more functional approach to man's problems, emphasizing ecology rather than ideology; both the foregoing would help to encourage the spread of a more personalized rational humanist world outlook that would gradually replace the institutionalized religious, ideological and intensely national perspectives that have dominated modern history."

But what about the less (as yet) technetronically developed Russia?

"The Soviet Union may come to participate in such a larger framework of cooperation because of the inherent attraction of the West for the Eastern Europeans—whom the Soviet Union would have to follow lest it lose them altogether—and because of the Soviet Union's own felt need for increased collaboration in the technological and scientific revolution."

Indeed, a year earlier, in 1969, Brzezinski had published an article that made clear that the regime of Russia faced the "threat of degeneration." Brzezinski uses the word "degeneration" much like Soviet propaganda uses the word "decay" (and indeed he refers the reader to a study entitled *Political Development and Political Decay*). The "political systems" that degenerated earlier are "Tzarist Russia, the French Third Republic, Chiang Kai-shek's China, and Rakosi's Hungary." All these "political systems" perished. "Indeed, in the long run, perhaps the ultimate contribution to Soviet political and social development that the CPSU [Communist Party of the Soviet Union] can make is to adjust gracefully to the desirability, and perhaps inevitability, of its own gradual withering away."

To avert degeneration and then withering away, those in power in Russia have to carry out a "progressive transformation" into a "more pluralistic and institutionalized political system." The situation strong-

ly suggested that those in power in Russia, facing degeneration and withering away, would join Brzezinski's technetronic super-NATO, along with the progressive transformation of their society or perhaps as part of it.

Predictably, mainland China did not figure prominently in *Between Two Ages*, since Brzezinski's super-NATO was a community of (technetronically) developed nations. Mainland China was not one of them (perhaps Formosa was?) and hence was to remain outside it, pending its technetronic development.

BRZEZINSKI'S PUBLICATIONS AS BUREAUCRATIC TOOLS

While from the cognitive point of view Brzezinski's publications are wild fantasies based on pseudo-generalizations, in terms of his career they are highly disciplined exercises, maximizing his career prospects in the current academic-government hierarchy, influenced by the "major media," ostensibly nonpartisan but essentially Democratic rather than Republican. A myopic simplification in global strategy, national security, foreign affairs, Soviet studies, or any other such field of knowledge, Brzezinski has been a shrewd expert in the field of his rise in this academic-government hierarchy. Absurd in his "predictions" of what will happen in Russia or China, he is astute in his sense of where the prevailing academic-government conformity tends. His books and articles have been not sources of knowledge of any value to the United States, but only effective career tools. First, he changed beyond recognition with each prevailing conformity. Second, each Brzezinski had in his books and articles a proper Left-Right mix to appeal to both within the current prevailing conformity. In other words, when the conformity gravitated to the right (as before 1963 and after 1980) Brzezinski put into his Right composition enough Left admixture to appeal to the conformity's Left as well; and when the conformity swung to the left (as between 1963 and 1980) he added to his Left formula a splash of Right to appeal to the Right, too.

His conformism, with a proper dose of ambiguity, has been necessary to Brzezinski not only to have the broadest base in each prevailing consensus, but also to keep his options open in case of its unpredictable shift to the opposite end of the political spectrum.

On the one hand, Brzezinski was from 1973 to 1977 a "mentor in foreign affairs," and from 1977 to 1981 the national security adviser of Jimmy Carter, under whom the GNP percentage of the U.S. defense budget reached in 1979 an all-time low since the Soviet threat came to be perceived about forty years ago (4.9 percent of the GNP). Even in absolute terms, much less was allocated for defense in 1979 (\$69.5 billion in 1972 dollars) than in 1955 (\$8.2 billion in 1972 dollars). If Soviet intelligence had realized how vulnerable the U.S. C3 (command, control, and communications) were, a Soviet nuclear surprise attack could have destroyed the United States in 1977 to 1981 without American retaliation.

It is under Carter that "Soviet-American relations" reached an unprecedented peak of "warmth" when Carter and Soviet ruler Leonid Brezhnev kissed before television cameras, at Carter's initiative and as an unforeseen diplomatic protocol extra (Nixon had merely hugged Brezhnev).

The Soviet invasion of Afghanistan was for Brzezinski a bolt of reality from the (technetronic) blue. And it is only after it

that the U.S. defense budget picked up (in 1980) to 5.2 percent of the GNP (compared with 11.2 in 1955 and 6.4 in 1984). But owing to whom? Even in June 1980, Carter opposed, because of "excessive military funding," the budget for FY 1981, as it was adopted by the House-Senate conferees. Though for his "Annex II" to Power and Principle Brzezinski himself selected and paraphrased, in accordance with his new conformity, his Weekly Reports to Carter, not a single one of them, even in his own selection and interpretation, expresses Brzezinski's disagreement with any of Carter's defense spending cuts (and cancellation of defense programs to ensure these cuts) or Brzezinski's agreement with the Congress-supported budget for FY 1986.

On the other hand, despite that record, Brzezinski has managed, after 1983, to convince many on the pro-defense Right that he has always been a staunch defense conservative. Thus, in 1984 *The Wall Street Journal*, which was editorially to the right of President Reagan in national security, foreign policy, and defense, advised Reagan editorially to "bring back Zbigniew Brzezinski as national security adviser." A review of *Game Plan* in the pro-defense "neoconservative" *Commentary* magazine stated in one of its concluding paragraphs that *Game Plan* is an "instructive work."

"If nothing else, by tackling a project of this scope, and by having the courage to make unpopular observations and (for some at least) extremely disturbing proposals, Brzezinski has suggested how we should go about thinking through what is, after all, the enduring strategic problem of our time. Most important, perhaps, is the tough-minded common sense that he brings to bear on the strategic competition."

Morton Kondracke's review of *Game Plan* in the pro-defense "neoconservative" *National Interest* recommended Brzezinski as national security adviser for the next president provided the latter is good enough to believe in Brzezinski's "prevailing" according to his "game plan":

"Brzezinski's proposed strategy deserves the widest possible attention and debate from theoreticians and practitioners of all ideological persuasions as we head toward 1988. If we can find another president who believes in prevailing, we could do worse—much worse—than give Brzezinski another chance to change policy as well as think about it."

Adroitly ambiguous, to cater to both Left and Right, Brzezinski has, ever since his doctorate in 1953, been changing mercurially with each successive prevailing conformity.

Before John F. Kennedy's American University speech of June 10, 1963, there had lingered a bipartisan consensus, according to which communism is expansionist, aggressive, and intent on world conquest. On January 14, 1963, Kennedy still declared: "I foresee no spectacular reversal in Communist methods and goals." Brzezinski, or at least one of the two concurrent Brzezinskis, conformed longer than many. Few insisted up to 1963 inclusive as stubbornly as he did that communism did not split and, if it did, its threat would be all the greater.

On June 10, 1963, Kennedy brushed away what he had been asserting before, during, and after his election in 1960: He declared that Russia and the United States "are both caught up in a vicious and dangerous cycle in which suspicion on one side breeds suspicion on the other . . ." Both countries "have a mutually deep [!] interest in a just [!] and

genuine [!] peace and in halting the arms race." That is, the regime of Russia is no more aggressive than the United States is. A new conformity set in, and in 1964 there duly appeared Brzezinski's 461-page volume (with Samuel P. Huntington) entitled *Political Power: USA-USSR* and explaining how wrong the "black-and-white" image of Russia and the United States had been:

"Slavery and freedom; dictatorship and democracy; communism and capitalism; collectivism and individualism; the totalitarian state and the constitutional one; how easy and appropriate it is to pin one label on the United States and its opposite on the Soviet Union. The human mind craves simple distinctions. . . ."

The authors proceed to explain that "the Russian" and "the American" simply reverse the same "black-and-white" image:

"For the Russian the Soviet Union is the leading socialist state, the spearhead of the worldwide communist revolution. The United States, as the strongest of the capitalist powers, is the center of 'reactionary imperialism.' The American puts different words on the same differences and reverses the value assigned to them."

If Brzezinski had not known that *The Permanent Purge: Politics in Soviet Totalitarianism* had been published by none other than Brzezinski in 1956 on the basis of his 251-page doctorate of 1953 under a similar title, he would have attacked that book and that doctorate as the worse case of "black-and-white" imagery.

As the conformity that Kennedy officially proclaimed in 1963 grew and shifted further to the left, Brzezinski's *Political Power USA/USSR* (which went into a new edition almost every year up to 1978, led to his starry-eyed America's Role in Technetronic Era of 1970, corresponding to the prevailing conformity of 1978) The conformity held up until 1976, by which time Brzezinski had made a new major contribution to his technetronics of 1970. The United States must extend its historical sociopolitical experience onto the world:

"The basic message of the American experience was the primacy of liberty. But inherent in that was also the centrality of pluralism. Personal liberty was best assured by a society that was pluralistic."

Just as an American citizen cooperates with all kinds of American citizens, no matter how obnoxious their political views may seem to him, so, too, the United States must cooperate with all "150-odd sovereign nation-states." True, the United States can cooperate with only the rulers of Russia, not its 100-odd nations to whom personal liberty and hence pluralism have been denied by the rulers. But Brzezinski ignores whatever interferes with his current set of pseudo-generalizations:

"On the global scale, pluralism means diversity and not a march toward a homogeneous world based on a single ideological model. That message remains valid and has become especially valid because of the appearance of some 150-odd sovereign nation-states. Moreover, tied to more specific proposals for global cooperation, it could serve as the point of departure for a relevant concept of a new and more diversified international system."

Inversely, the failure of the Nixon and Ford administrations to implement Brzezinski's principle of global cooperation with all nation-states leads to "an isolated America in a hostile world." Yet, at the end of the article we read:

"Nothing could be more destructive than for the United States to position itself as

the ultimate shield of the remnants of white supremacy in Africa at a time when racial equality is coming to be accepted as an imperative norm."

So, the United States can cooperate with, say, the 100-odd nations of Russia through its rulers, but in South Africa there is not even any government to cooperate with, only the "remnants of white supremacy," and "nothing could be more destructive" than to cooperate with them.

However, Brzezinski could not fully realize under Carter his Left technetronic utopia, enriched with his Left utopia of global purity and global cooperation (or global "cooperative activism"). The prevailing conformity began to shift to the right just when Brzezinski's article went off the press, in the summer of 1976. One of the signs was the CIA's scandalous retroactive doubling of the "Soviet share of military spending in the Soviet GNP." Still, the period between 1976 and 1983 was transitional (just as was the period between 1962 and 1964) when the old and new Brzezinskis coexisted. In 1977, as national security adviser, the old Brzezinski was still talking his technetronics to *Time* magazine: "The old order, based largely on military power and nationalism, is giving way to 'a technetronic age' in which there will be increasing emphasis on economic development and social justice." Poor President Carter! "In this emerging world, according to Brzezinski, 'military power by itself will no longer dictate the ability of a nation to influence political, social and cultural developments.'"

In August 1980 Brzezinski still expected the rulers of Russia to discontinue their invasion of Afghanistan, and "if the Soviet Union is prepared to accept decent and constructive arrangements for the resolution of the Afghanistan problem, including perhaps even some transitional arrangements there, then it will be easier to re-establish the kind of movement toward a more genuine and reciprocal detente that we have been attempting to promote."

But even if the Soviet invasion continued, the "need to promote arms-control arrangements" would remain:

"In some respects the need is greater when U.S.-Soviet relations are worse rather than better. We thus would hope to be able to move on SALT II and to move toward SALT III. We would expect to initiate negotiations on theater-nuclear forces in connection with SALT III. We would hope to proceed with mutual and balanced force reductions."

Between 1983 and 1986 the prospects for "a more genuine and reciprocal detente" or "arms-control agreements" were next to nil, and in his *Game Plan* (whose set of pseudo-generalizations is derived from Karl Haushofer's *Geopolitik*) Brzezinski wants the Right to see him as a defense conservative right of Reagan, since Brzezinski may well expect that the next president will be defense conservative X to the right of Reagan. At the same time, Brzezinski wants the Left to see him as a foreign policy liberal, as far left as Edward Kennedy, since Brzezinski has also to maximize his career prospects in case Kennedy or his equivalent becomes the next president. The text is written so that both X and Kennedy could applaud and cheer, reading every paragraph, if not every sentence. Let us open a random page—and begin reading from the top of the page.

Brzezinski discusses Nicaragua. It should be obvious to any observer in 1986 that the U.S. "major media" (e.g., *The New York Times*), which profess themselves to be in-

dependent but are actually liberal-Democrat, and the Congress, which leaned the same way even before the Senate ceased to be Republican, have been preventing the U.S. president for six years from rendering any effective aid to any forces trying to overthrow the nascent totalitarian regime of Nicaragua while it has not yet tightened its stranglehold on the country. Nor has the U.S. president himself always been sufficiently resolute. If the pro-Soviet regime of Nicaragua is a strategic problem (and Brzezinski admits in 1986 that it is), then this problem has been resting not so much with Nicaragua as with the United States.

Predictably, Brzezinski delivers something far removed from the reality of the case, but intended to please both X and Kennedy:

"It is particularly important not to let Central America become a contested zone in the U.S.-Soviet rivalry. That would represent a defeat for the United States irrespective of the outcome, for it would signify the intrusion of Soviet power through Cuba onto the mainland of the Western Hemisphere. The United States must exert every effort—including the use of force if necessary—to obtain an outcome in Nicaragua . . ."

X can be applauding and cheering up to this point. Brzezinski no doubt means that adequate aid should at last be given to the 18,000 Nicaraguan guerrillas or even that U.S. troops should be sent in to support them. But the sequel is:

" . . . along the lines of the one recommended earlier [by Brzezinski] for Afghanistan: external neutralization and internal self-determination [but how to carry out this recommendation?]. The United States should be prepared to accept even a radical leftist regime in Nicaragua, if that should be the freely expressed will of the Nicaraguan people, provided that secure arrangements are established to assure the regime's external neutrality."

Now Kennedy can well applaud and cheer. No doubt Brzezinski means the "Sandinistas" by a "radical leftist regime in Nicaragua." Its (revolutionary) establishment is the "freely expressed [revolutionary] will of the Nicaraguan people," or at least who can prove otherwise?

Then both X and Kennedy can applaud and cheer, since the text is sufficiently ambiguous:

"But the United States should be equally prepared to apply force at any early sign of Soviet or Cuban military involvement in the suppression of opposition to the current Nicaraguan regime. The longer this issue festers, the more likely the prospect becomes of a fourth central strategic front [in addition to the three such fronts in Eurasia] emerging close to home."

"You see?" X can exclaim. "Let's apply force. Surely there has been Soviet and Cuban military involvement in the suppression of opposition: Soviet-bloc weapons arm the current Nicaraguan regime's armed forces, Soviet-bloc 'advisers' train them, and Soviet-bloc secret police create the regime's secret police and cooperate with their spawn to suppress opposition." "Oh, no," Kennedy can reply. "Brzezinski can't mean that. This kind of involvement has been going on for years, perhaps ever since 1979, when Brzezinski was Carter's national security adviser. What Brzezinski must mean in 1986 is the involvement of Soviet or Cuban uniformed regular troops for the suppression of opposition, and the Sandinistas will hardly ever need that."

Brzezinski does not communicate with a reader interested in global strategy or foreign policy. His text is actually an intricate verbal "acrobatic dance," sufficiently far removed from any specifics of reality and consisting of abstract ambiguous bows and enigmatic curtsies to different Left and Right (or Right and Left) conformities of the day.

However, looking in 1986 at himself since 1953, Brzezinski sees himself not as many different Brzezinskis conforming to many different conformities, but as a remarkably consistent, fiercely independent, and unswervingly truthful thinker-intellectual, who always said bluntly and did bravely what he says in 1986, pitted though he has always been against enormous odds of ignorance, ineptness, and naivete.

For example, in 1986 we learn from Brzezinski that he always had that ingredient of a defense conservative's toughness that he wishes to see in himself in 1986 in order to appeal to a future possible President X. Thus, we learn that owing no doubt to his national security adviser, Carter "reversed the decline in defense spending under the Republican Administrations (3-4 percent per year in real terms)." This is rather the opposite of what the above-quoted official U.S. statistics say, but this is what today's Brzezinski would like to have been in 1977-1981. In general: "Contrary to what his critics asserted, Carter was tough, cool and determined." In today's Brzezinski's imagination, Carter was like Reagan—as defense conservatives want to see him, not as he has actually been. But tough as Carter was, his national security adviser was even tougher.

It is Carter-Brzezinski who pioneered in 1978 "strategic defensive forces" while Reagan launched the project (SDI) "without adequate preparation and formulated [it] in vague and even utopian terms," so that it "invited criticism." The tough Carter and even tougher Brzezinski launched all those defense projects that Reagan has been merely botching.

BRZEZINSKI'S "GEOPOLITICAL" PSEUDO-GENERALIZATIONS OF 1986

Pioneered by the German geographer and Darwinist Friedrich Ratzel and developed by the former German General Staff officer Karl Haushofer between the two world wars, Geopolitik postulates that just as in the case of species in the Darwinian animal kingdom, the life and strike for life of nations are determined by each nation's geographic life habitat: Lebensraum. In thinish American pamphlets about Geopolitik of the 1970s the authors sounded apologetic about the fact that Haushofer was the teacher of Adolf Hitler.

Actually, Haushofer was ambivalent. Both Haushofer and Hitler believed that those who possess the "world's heartland" (the continent of Europe and Asia—Eurasia) possess the world. But Haushofer concluded therefrom that Russia and Germany should be allied against the "Anglo-Saxons." Haushofer hailed the German-Soviet pact of 1939 as a great achievement of Geopolitik. Today all pro-Soviet or anti-defense Germans could preach Haushofer.

In his Game Plan Brzezinski retells Geopolitik without acknowledging a single source: The impression is that the literature in the field does not exist, that all that Brzezinski says was not told and retold many times long ago, and that he, Brzezinski, is the founder of Geopolitik.

Having chosen Haushofer's Geopolitik to borrow from for his present reincarnation, Brzezinski has chosen a doctrine that is as far to the right as the conviction that Hitler

had to invade Russia and as far to the left as the conviction that Russia is determined to dominate the world. Having originated in Germany long before World War I, Geopolitik could hardly be expected to consider concepts like "totalitarianism" or "democracy." So Brzezinski practically ignores them, too, in 1986. In Geopolitik, empires struggle for Lebensraum, the habitat that each empire-organism needs for life. So in Brzezinski, it is the "Great Russian empire" vs. the "American empire."

In Geopolitik, no nation can be blamed for anything. Nor is any nation differentiated into rulers and ruled. There is just—"Russian society." So Brzezinski refers to the "territorial imperative of its instinct for survival." In Geopolitik, "Russian society" is right from its geobiological point of view. We learn that "Russia is subject to a peculiar isolation, or even encirclement. Despite the country's enormous continental size—it is by far the biggest state in the world—it is in effect landlocked. It does not have a truly open access to the world."

That was true, in a sense, when Haushofer described Russia before World War II. But owing to the islands annexed from Japan after World War II, Russia has coastal access to the Pacific about twice as long as the Pacific coastline of Japan, a great maritime power. Besides, with today's air traffic, space vehicles and Soviet Submarines moving under the Arctic ice cap, the concept of landlocking as it existed in 1919 hardly applies in 1986. But since Russia was landlocked in the times of Haushofer, it is "landlocked" for Brzezinski in 1986.

Obviously, Brzezinski took the notion of the Soviet rulers' fear of "encirclement" from Stalin's complaints in the 1930s about "capitalist encirclement." But while Russia even today is more landlocked than the United States, does this mean that it is more "encircled," and that the Soviet rulers fear this "encirclement"? By being landlocked, Moscow or even Leningrad is removed far from U.S. oceanic submarines, while Soviet oceanic nuclear-armed submarines can literally reach New York or Los Angeles owing to American oceanic openness. The closer a submarine is to a target the shorter the time of its missile's flight and the more difficult the defense against it. Contrary to Brzezinski's Geopolitik, it is the United States, not Russia, that should fear "encirclement," which is a perceptible reality, and not just a fear. Soviet submarines do operate off the Western and Eastern coasts of the United States, and the Gulf of Mexico is a Soviet general naval operating area.

The pre-1963 prevailing consensus was that the rulers of Russia are after world conquest. Are they, according to Brzezinski of 1986? He considers the question "meaningless" and a "misleading cliché." We learn instead that "Soviet strategy" is "to prevent the political and military encirclement of the Soviet Union by the United States and its allies." Stalin would have certainly been happy to hear that before World War II. But what U.S. allies can encircle Russia today? Finland? The Baltic countries? Poland? Czechoslovakia? Hungary? Romania? Bulgaria? Turkey? Iran? Afghanistan? Pakistan? India? Japan? The only threat (potential) is totalitarian China. But surely one country does not make a circle. And surely Soviet submarine-based missiles threaten New York far more than Chinese troops threaten Moscow. Yet Brzezinski concludes:

"To foreclose the possibility of such an encirclement, the Soviets must sever the

connection with America at each end of the Eurasian continent. And that, in turn, would tip the global balance in Russia's favor."

So, Russia wants just to prevent the "encirclement," but if it succeeds, it will tip the global balance—unwittingly, so to speak. The "Great Russian empire" and the "American empire" merely defend themselves against each other.

The words "empire" and "imperial" applied to both Russia and the United States occur all over the book. Thus, we read in the subsection "An Imperial Contest" of the chapter "The Imperial Collision":

"The American-Soviet contest is not only between two nations. It is between two empires. Both nations had acquired imperial attributes even before their post-World War II collision, but that collision has heightened the strategic importance of their respective imperial assets and has intensified their imperial growth."

While the Right may welcome Brzezinski's reliance on Geopolitik (which has the reputation of an extreme right-wing German military doctrine), the Left will hail his treatment of the United States as just an "American empire," expansionist and aggressive like the "Great Russian empire."

"Initially, American expansionism bore some striking resemblances to the Russian experience. This was especially true of the American conquest during the nineteenth century of territories once held by Mexico. Otherwise, American expansionism, especially during the phase of 'Manifest Destiny' at the turn of this century, tended to reflect the oceanic character of American power. American naval might expanded U.S. political domination into Cuba and the Caribbean, into Central America, and beyond Hawaii almost to the coast of Asia through the acquisition by war of the Philippine islands. This overt imperialism . . .

The American imperial system emerged full-blown only after World War II. It was also largely an accidental empire."

Even more boldly Brzezinski asserts that the "U.S.-dominated imperial system" is "formalized through treaty arrangements—which in effect acknowledge the status of Western Europe, Japan, and South Korea as American protectorates . . ." Is Western Europe or Japan or South Korea an "American protectorate," that is, an empire's dependency, a colony? What is an empire? Brzezinski explains: "I use the term 'empire' as morally neutral to describe a hierarchical system of political relationships, radiating from a center." So the "American empire" and the "Great Russian empire" are both "hierarchical systems," with "protectorates" at the lower levels of the hierarchy and Washington or Moscow at its top or its center, from which political relationships of the hierarchical system radiate.

"The parallels between U.S. preponderance over Central America and Soviet domination over Eastern Europe are striking." True, there are differences. "The United States . . . has come to accommodate itself to a Mexico that is . . . cautiously (?) critical of the United States in external affairs." The word "cautiously" is put in, contrary to all factual evidence, to bring the analogy of Central America closer to Eastern Europe.

"Despite the differences between U.S. and Soviet predominance, the relations in each region remain essentially imperial. Since World War II, the United States has felt that its national and regional security justified intervention in the internal affairs of

Guatemala in 1954, Cuba in 1961, the Dominican Republic in 1965, Grenada in 1983, and Nicaragua today."

Thus, even the American establishment of an independent Grenada in 1983 is "imperial." But the imperial American-Russian parallels are especially numerous, according to Brzezinski, in the case of Mexico and Poland:

"The parallels between American-Mexican and Russian-Polish relations are many. In both cases, the weaker partner today was once a very major power, in some respects dwarfing its now-giant neighbor. Those neighbors expanded by gobbling up territories that were Mexican or Polish, respectively, and they did so by guile and force of arms."

After going on for twelve lines in this vein, Brzezinski notes: "Vivid memories of inflicted injustice and national humiliation intensify these Mexican and Polish attitudes."

A school textbook of history, used in any country impartial to the United States and Mexico, could show Brzezinski that the only major change in the American-Mexican boundary of 1848 occurred in 1853 when the Mesilla valley was sold by Mexico to the United States.

As for Poland, the Soviet rulers can take a secret decision to occupy it tomorrow and deport or kill every Pole. If they do not do it, this is a matter of their global strategy, and not of any social, legal, and political checks and balances.

However, let us recall again that Brzezinski's current set of pseudo-generalizations always completely ousts reality from his mind. In terms of Haushofer's *Geopolitik*, the "Great Russian empire's expansion at Poland's expense" must be analogous to the "American empire's expansion at Mexico's expense," and therefore, this is how Brzezinski sees it.

In 1977, *Time* magazine noted: "Sounding like Carter, Brzezinski thus sprinkles his speech with such words as goodness, morality and virtue." In 1978, Brzezinski spoke of five "priorities," and said: "The first [priority] is to infuse American foreign policy again with a certain measure of moral content." Now, Haushofer's *Geopolitik* and Brzezinski's rehash of it are amoral. To repeat the worn-out phrase of Nietzsche, who had influenced *Geopolitik*, the latter is "beyond good and evil": It is "biological" or "Darwinian." The Great Russian empire has been taking *Lebensraum* from Poland, and the American empire from Mexico. The Poles hate the Great Russian empire for the same reason the Mexicans hate the American empire. The Great Russian empire's victory over the American empire will be unpleasant for those who happen to live in the American habitat (and for the Poles) as it will be pleasant for the Great Russians (and for the Mexicans).

DEFENSE OF THE "AMERICAN EMPIRE" UNDER BRZEZINSKI'S GEOPOLITIK

Having exchanged the word "German" in Haushofer's *Geopolitik* for "American," Brzezinski duly repeats Haushofer's postulate that the "American-Soviet contest has a central priority: Eurasia. This landmass is the contest's geostrategic focus and its geopolitical prize." What about Central America or Africa? In his time Haushofer could not see Russia's strategic takeover of Central America or Africa. Hence Brzezinski did not see it in 1986 either. Contrary to the evidence like Cuba or Nicaragua, he writes:

"Prudence and thousands of miles of ocean compel the Kremlin to regard the Central American conflict as peripheral and

diversionary. Its stakes are dwarfed in geopolitical significance by those of any one of Eurasia's three central strategic fronts . . ."

These "three central strategic fronts" are: (1) Poland and then Germany and then Italy, France, and the Netherlands struck from Germany; (2) South Korea and then Japan struck from South Korea, and the Philippines struck from Vietnam; and Afghanistan and then Iran and Pakistan struck from Afghanistan. The countries which are "both intrinsically important and in some sense 'up for grabs'" are called "key linchpin states."

Needless to say, these "fronts" and "states" are arbitrary inventions, based on Brzezinski's new geopolitical pseudo-generalizations. He seems never to have seen a U.S. Department of Defense map of Soviet military deployments, operating areas, and exercises. From such maps it follows that once the Soviet rulers have decided on a global war, simultaneously with frontal thrusts into Scandinavia, all across Europe and into Spain, Britain and the Balkans, etc., the Soviet naval and ground forces are to encircle, or as the military say, envelop, Scandinavia and Britain, cutting them off from each other and from Western Europe; to envelop Western Europe and the rest of Eurasia, cutting them off from the United States and from each other; and to envelop Japan. Besides, the largest operating areas of Soviet submarines are to the west and to the east of the United States. But after the Soviet invasion of Afghanistan, Brzezinski imagines, in accordance with Haushofer's *Geopolitik*, that Soviet global strategy is a series of similar land invasions. He calls Poland "a linchpin state" in order to connect, in the spirit of Haushofer's *Geopolitik*, post-1917 Russia with pre-1917 Russia: "Poland has been a 250-year-long Russian objective." The Philippines, another "linchpin state," appears twenty-six times in Brzezinski's book. But why on earth is the Philippines a "linchpin state" and Turkey or Mexico is not?

The global strategy which Brzezinski thus invents for the Soviet General Staff is comical. The Soviet armed forces can, of course, invade Iran, or perhaps, Pakistan with impunity but not Japan. On the other hand, if more Soviet troops pour into Poland, how does Brzezinski propose to stop them? What does Brzezinski mean by calling the totally dependent Poland a "key linchpin state" on a par with the totally independent South Korea, for example?

Nor does his *Geopolitik* help his policy recommendations for specific countries. Thus, we learn that it is necessary to "restore some degree of American-Iranian cooperation." How?

"After Khomeini's death and the inevitable [?] political turmoil, a gradual normalization [!] will probably take place. The United States should clearly signal a willingness to improve American-Iranian relations, because its interest in an independent Iran transcends even the current Iranian hostility. That American interest stems from a larger geopolitical concern for a key linchpin state in the U.S.-Soviet contest, and should not be compromised by transitory emotions."

All that is new in this nebulous policy recommendation is that Iran is a "key linchpin state in the U.S.-Soviet contest." Will this accelerate Khomeini's death and bring about a "gradual normalization" thereafter? Besides, Brzezinski merely echoes the prevailing academic-government belief that "to improve relations" is the supreme goal of di-

plomacy. But what did even the "best Soviet-American relations" give the United States strategically? With the "best American-Iranian relations," why cannot Khomeini's successors become open, secret, or tacit Soviet allies?

With respect to another "key linchpin state" of Brzezinski's *Geopolitik*—Afghanistan—we find that, just as in the case of Nicaragua, the problem of adequate aid to resisters in Afghanistan does not exist, as far as Game Plan is concerned. Instead, we learn that "the Soviets will not disengage voluntarily unless a way can be found to ensure that a Soviet withdrawal does not make Afghanistan an anti-Soviet outpost. To reassure Moscow, the United States should make it clear that it would be prepared to participate along with the Soviet Union, China, Pakistan, and India in a five-power agreement to guarantee the genuine neutrality of Afghanistan."

None other than Brzezinski explained that the Soviet strategists need Afghanistan to strike at Pakistan and reach the Indian Ocean, and at Iran and reach the Persian Gulf. But now it transpires that all the Soviet rulers want is for Afghanistan to be neutral and not be an "anti-Soviet outpost."

Just as in the case of Iran, in which Brzezinski echoes the prevailing academic-government belief in "normalization of relations" as the ultimate achievement of diplomacy, in the case of Afghanistan he echoes the same kind of belief in the "withdrawal of Soviet troops from Afghanistan" as the ultimate achievement of strategy. Actually, all or most uniformed regular Soviet troops may be withdrawn from a country, but it will be no more independent than is the Ukraine or Estonia, owing to the Soviet secret police machinery in combination with the local secret police machinery and local troops they control.

Brzezinski is obviously convinced that his borrowings from Haushofer's *Geopolitik* of forty-odd years ago make him not only a unique global strategist, but also an unsurpassed commander-in-chief. Thus, he orders that the U.S. Navy simultaneously "sustain U.S. transoceanic conventional forces," "cork up Soviet fleets in their respective 'sea bottles,'" and "destroy Soviet foreign bases" (p. 183). But how to cork up Soviet fleets, for example? Surely the Soviet armed forces are to seize on D-day those choke-points where two Soviet fleets could be corked up. Besides, the Soviets' three largest naval operating areas—around Scandinavia, along the Soviet Pacific coast, and off India, the Middle East, and Africa—exceed in size the territory of the United States. Other large naval operating areas are in the Gulf of Mexico, off West Africa, between Vietnam and Malaysia, and off both coasts of the United States.

While these Soviet fleets cannot possibly be corked up, they are precisely to disrupt "U.S. transoceanic forces" and destroy all American and NATO bases before the United States and NATO destroy "Soviet foreign bases" as per Brzezinski's order. Brzezinski seems to give magnificent military orders without knowing what has been going on in the world in the forty years after Haushofer's death.

Yet while ordering to cork up Soviet fleets, Brzezinski declares on the same page that aircraft carriers are "largely a vestige of World War II." But they are the only major advantage of the U.S. naval forces as of 1986. How can the United States fulfill Brzezinski's magnificent orders without its only major naval advantage?

Now, what if the "Great Russian empire" does defeat the "American empire" despite Brzezinski's (that is, Haushofer's) strategic wisdom? According to Brzezinski, this cloud also has a silver lining. Chapter IV, accounting for about one-fifth of the book, is devoted to demonstrating the fact (which no one disputes) that Russia is only a one-dimensional—that is, military—rival of the United States. However, the naive conclusion that Brzezinski draws from this obvious fact is that Russia will not be able to lead the world if it wins in the rivalry as a military power:

"In essence, the unique character of the one-dimensional Soviet global challenge is that the Soviet Union is manifestly unequipped to provide constructive and sustained leadership if somehow it should by military leverage succeed in unseating the United States as the number-one world power. The Soviet Union could not provide global financial leadership. Its economy could not act as the locomotive for global development and technological innovation. Its mass culture has no wider appeal; its leading intellectuals and artists have been steadily fleeing the Soviet Union. American global displacement could not be followed by a Soviet global replacement."

Brzezinski resembles an American businessman who was present at this author's public lecture and asked how the United States could become a Soviet colony, if the conquerors were not able to run American enterprises as well as they were run now. My answer that to begin with, all major American enterprises would probably be blown up or dismantled and taken to Russia and other countries, was met by him with a shocked disbelief. Brzezinski assumes that after Soviet "prevailing," there will be a question as to whether the "Great Russian empire" is or is not able to replace the displaced United States in "financial leadership," "technological innovation" or "mass culture."

BRZEZINSKI'S CRITICISM OF REAGAN'S FOREIGN POLICY

On October 17, 1980, Brzezinski wrote to Carter about "disturbing" consequences of a "possible Reagan victory": "... the moderate [in Nicaragua] will be unable to secure U.S. assistance..." "Relations with South Africa might improve." "... relations with China will suffer gravely. Most of the historical gains and progress of the last two years will be jeopardized." "SALT will be abandoned and an arms race will begin." "The U.S. will be viewed as a status quo power, indifferent to global changes."

On all issues of foreign policy, Brzezinski was in 1980 to the left of Reagan, even according to Brzezinski's own account in 1983. He did not expect Reagan's victory. Hence his criticism was almost exclusively from the Left. In 1986, Brzezinski wants in his Game Plan to show the Right (with a proper dose of equivokes to the Left, of course) that he has always been to the right of Reagan. Hence part of his criticism is intended to be from the right.

While propounding in 1986 his hasty rehash of Haushofer's Geopolitik, Brzezinski criticizes the current U.S. administration for its having no "up-to-date, integrated, overall strategic doctrine," which is exactly how Brzezinski views his brandnew set of pseudo-generalizations from pre-World-War-II German sources. In general, "American political culture continues to be marked by the absence of a strategic or geopolitical consciousness." Brzezinski complains that "faddish preoccupations... give birth to

temporary fashionable pseudostrategies." Thus, "a new doctrine of anti-Communist liberation struggle has been evolving to create a rationale for American sponsorship of armed resistance against Soviet-backed Communist regimes in Afghanistan, Nicaragua, Angola, and Kampuchea."

But why is this armed resistance a "pseudostrategy"?

"This new 'strategy' links two conflicts that do directly involve the interests of the rival superpowers—namely, Afghanistan and Nicaragua—with peripheral conflicts that at most engage such interests only indirectly—as in Angola and Kampuchea. It is a policy that runs the risk of diverting public attention from the truly important and genuinely geostrategic foci of the long-term U.S.-Soviet confrontation."

So the strategy of armed resistance is a "pseudostrategy" born of a "faddish preoccupation" because it "links" Angola and Kampuchea (which are not at the "three central strategic fronts," according to Geopolitik) with Afghanistan (which is) and with Nicaragua, which involves the "interests of the rival superpowers," though none other than Brzezinski himself considers Central America "peripheral and diversionary." In accordance with Haushofer, Brzezinski does not consider Africa strategically important either. But Soviet strategy does, for Soviet strategy targets not only what is strategically most important, but also what is strategically most vulnerable.

A page earlier Brzezinski exclaims:

"Diversionary fads are a special American weakness. Since awareness of history, geopolitics, and strategy play a relatively unimportant role in shaping the American view of the world, Americans are prone to personalize international affairs, periodically seizing on this or that foreign dictator as the major threat to their security. For several years, Fidel Castro, the demagogic ruler of a small Caribbean island, was perceived by the public as posing an almost mortal danger to the world's premier superpower."

So Nicaragua is important, even though it is in Central America, Cuba is only a "small [!] Caribbean [!] island," and Castro only its "demagogic ruler" (as though a demagogic ruler is less of an "almost mortal danger to the world's premier superpower" than a nondemagogic one). Again, Brzezinski does not seem to know that Cuba is the base for a vast Soviet naval and aircraft operating area extending from the tip of Miami over the Gulf of Mexico and all along the coast of Mexico and down to Nicaragua.

However, the sphere where Brzezinski's Geopolitik really clashes with the Reagan administration's policy is strategic defense.

What Haushofer could not, and Brzezinski would not, know is that global strategy, as Nikita Khrushchev realized in 1955, ceased to be entirely extensive, as it still was in Haushofer's times, and became more intensive. That is, the Soviet rulers' global victory has come to depend not so much on whether Austria belongs to them as on how superior are the Soviet global strategic forces inside Russia and all over the globe. Then Austria (and the rest of the world) will belong to the rulers of Russia automatically. Hence Khrushchev withdrew Soviet troops from Austria in 1955. Just because Haushofer died about forty years ago, Brzezinski lays emphasis not on global strategic war, but on local Afghanistan-like wars in Eurasia, as was the case more than forty years ago.

Besides, as we saw earlier, Brzezinski postulates that the Soviet rulers' strategy is

dictated by their sense of insecurity in Eurasia, and not their awareness of the possibility of taking over the world. Therefore, in order to keep peace and contain Soviet expansionism, it is necessary to create a sense of security for the rulers of Russia. Hence "U.S. deployment of first-strike systems... should be calibrated carefully to target only a portion of the most vital Soviet war-capabilities" so that the Soviet rulers "still retain a broad retaliatory capability against U.S. society."

In reality, just as potential belligerents produce a store of so many bullets that they can kill all mankind many times over, strategic strike systems must have a competitive margin of "overkill" to be able to sustain losses, to miss and hit enemy strike systems before they hit ours. With the inevitable development of strategic active defenses, the required "overkill" margin will grow. Brzezinski's proposal corresponds to a civilian's proposal to the U.S. military to have in store only two million (rather than two billion or two trillion) bullets to kill just two million Soviet soldiers so that the other Soviet soldiers in active service remain alive, and the Soviet rulers feel secure.

Besides, neither the number nor the location of Soviet mobile missiles is known to the West. It is not clear how U.S. first-strike systems can "be calibrated carefully to target only a portion" of what is unknown and mobile.

The Soviet rulers think about how to maximize their offensive power to be able to destroy all enemy war-capabilities before they can destroy any of theirs. Brzezinski thinks about how to leave intact a "portion of the most vital Soviet war-capabilities," so that the Soviet rulers feel secure.

His attitude is common. The most parochial, naive, and smug a Western Philistine is, the more superior mentally to the rulers of Russia he assumes himself to be, and the more readily he takes on the role of their physician, senior friend, or educator, called upon to take care of their physical and mental well-being.

Brzezinski's second similar proposal is that the "U.S. defensive shield should be confined to the protection of strategic forces," so that the U.S. population remain hostage to Soviet retaliation, as in Mutual Assured Destruction, and thus enhance the Soviet rulers' sense of security.

The U.S. government can, of course, expose its population as much as it likes to nuclear, bacteriological, chemical, and conventional strikes. In fact, this is what it has been doing since the mid-1960s, when American civil defense was discontinued unilaterally. But the Soviet rulers have, on the contrary, been building up passive strategic defenses; and as their active strategic defenses develop, these will also be used to protect the population according to the strategic importance of each section of it. Again, the Soviet rulers think about how to maximize their defense to their best advantage, while Brzezinski thinks about how to cure the enemy's alleged sense of insecurity.

Both of his proposals "can and must be sought unilaterally," in Brzezinski's opinion. "Indeed, a unilateral American effort may over time convince Soviet leaders that a genuine arms control accommodation is preferable to continued competition."

The all-out arms competition in the 1960s, in which the United States led heavily, did not convince "Soviet leaders" that a "genuine arms control accommodation" is preferable (and will never convince them, since genuine arms control requires the "open-

ing" of the Soviet regime, and that would be its end). It is absurd to suppose that the trick will be done by such an arms competition in which the United States trails behind, with Brzezinski's new self-imposed restrictions on the American side.

Brzezinski's ultimate proposition is elaborated in the last chapter of his book. In this chapter we learn "Pursuing victory in the traditional sense is anachronistic. The only alternatives left are those of acquiescing, accommodating, or prevailing." Thus, "the American-Soviet rivalry can be compared to an endless 'game'."

Alas, the Soviet rulers have never shared Brzezinski's sets of pseudo-generalizations. While he has been inventing and replacing them, they have been pursuing victory in the traditional sense and they consider the "game" finite, not "endless." The bankrupt Western strategy can be summed up easily. Even in the 1950's, the Soviet ground troops were thought in the West to be able to overrun Western Europe, not to mention more vulnerable areas of Eurasia; but U.S. strategic superiority was to deter them. Today, U.S. strategic superiority has been lost, while the superiority of Soviet ground forces has grown enormously and Soviet naval forces have become global. Why should the Soviet rulers believe under the circumstances that the "game" is "endless"? They see a very clear "end game"—their victory.

BRZEZINSKI AS SOVIETOLOGIST IN 1986

Brzezinski never lived in Russia, has no existential knowledge of the country and hence has to rely on his scholarship only. But his scholarship is also nonexistent. His Game Plan contains no source notes any scholarly study is supposed to contain at least pro forma. Brzezinski takes his information from his memories of what the media have been saying or from his imagination. Thus, we read that the United States "obtained advance intelligence that a Soviet military move into Czechoslovakia was imminent." No source note. Now, it is well known from declassified intelligence documents, congressional hearings, etc., that the United States did not obtain advance intelligence on the Soviet invasion of Czechoslovakia. Brzezinski's assertion is not a scholar's statement, but a false oracle.

In his Game Plan, Brzezinski's expertise on Russia, supposedly his professional field, is (in addition to Haushofer-inspired pseudo-generalizations) a series of such false oracles. We read: "In the eyes of the meditating Russian statesman [Andrei Gromyko], only an aggressive design could explain the determination of that distant state [the United States] to keep the peripheries—Western Europe, the Far East, and South Asia—out of Moscow's sphere of influence. . . ." This is an absurd invention, echoing Pravda. Pravda does assert that the United States is aggressive, but Gromyko reads his closed White Tass, not Pravda.

"The United States and the Soviet Union" have perceived each other "as the main source of danger to world peace." Again, Brzezinski identifies Soviet propaganda—the open Soviet sources like Pravda that he reads—with the Soviet rulers' perceptions as reflected in their closed press, of which Brzezinski had probably never heard before the 1970s. In the last twenty years the Soviet rulers have perceived the United States as an ever weaker, ever more pacifist and hence doomed "bourgeois democracy," not as "the main source of danger to world peace"—a Soviet propaganda cliché that Brzezinski actually quotes word for word.

We learn: "The Soviet Union has subordinated the church to the state, not for the sake of instilling formal religious values but in order to promote state-sponsored atheism and to confine strictly the scope of religious practice." Actually, since 1943 "Communist Christianity" (as a Soviet official source calls Russian Orthodoxy adapted for state propaganda) has been the state's propaganda tool, no different from Russian chauvinism or "Marxism-Leninism," for example.

For Brzezinski it is enough to read or imagine to have read a certain remark in any book written by a Russian or a foreigner a hundred years ago in order to convert that remark into a pseudo-generalization applicable to "the Russians"—meaning some one-hundred different nations on Soviet territory.

Those who lived in Russia in the 1940s will read with utter surprise on the last page of Brzezinski's text that "even Stalin's fear of a German success in 1941-1942 . . . produced major domestic concessions . . . at the cost of centralized and authoritarian power." In 1941 and 1942 Stalin introduced new draconian laws, such as the law according to which any soldier found absent without leave for more than a quarter of an hour was to be considered a deserter and shot as such and any Soviet soldier who became a German prisoner of war was to be considered a traitor. During a life-and-death war every society becomes more repressive, as well as more centralized, mobilized, militarized and authoritarian, than it was in peacetime, and Stalin's was no exception.

It is hardly necessary to word any elaborate conclusions from this review essay. Brzezinski is the apex of the academic-government hierarchy. His level is not merely his level. It is the level of the hierarchy that has promoted Brzezinski to its top, and this is what makes the position of the United States and hence the West tragic.

The West has survived so far owing to the previous post-Renaissance course of history, in consequence of which the democracies still had, until recently, a scientific-technological and hence military lead on the rest of the world. This lead is dwindling (Russia has a quarter of the world's scientists and half of the world's engineers, of whom it produces many times more than does the United States). And the West must think hard about what its diplomatic-strategic hierarchy is worth if its top-level effort is exemplified by Brzezinski's fantastic and ephemeral "career tools," which have been merely harmful in the past but which will be fatal in the future.●

AFGHANISTAN: LETTERS FROM THE STATE OF DELAWARE

● Mr. HUMPHREY. Mr. President, last December the brutal Soviet occupation of Afghanistan entered its eighth year. The horrible condition of human rights in Afghanistan was recently described in a United Nations report as: "a situation approaching genocide."

As chairman of the congressional task force on Afghanistan, I have received thousands of letters from Americans across the Nation who are outraged at the senseless atrocities being committed today in Afghanistan. Many of these letters are from Americans who are shocked at this Nation's

relative silence about the genocide taking place in Afghanistan.

In the weeks and months ahead, I plan to share some of these letters with my colleagues. I will insert into the RECORD two letters each day from various States in the Nation. Today, I submit two letters from the State of Delaware and ask that they be printed in the RECORD.

The letters follow:

DEAR SIR: Having just read the article, "Agony in Afghanistan", March issue Reader's Digest, I am compelled to write to you of my outrage and concern over the conditions in Afghanistan.

As an adult, born after World War II, I have often read accounts of the atrocities the Jewish people were forced to endure and have countless times asked myself how the world could let such horror continue for as long as it did. It seems that my generation is now faced with much the same horror and have turned away lest we be forced to take responsibility and correct the situation.

I hope we will not turn our backs on Afghanistan for fear of confrontation with the Soviet Union. The lives of millions of innocent men, women and children are surely worth such a risk.

Sincerely,

SYLVIA ANDERSON,
Wilmington, DE.

DEAR SIR: I've just finished reading another heart rending article about the plight of the Afghan people. I simply cannot understand how we as a nation can ignore what these people are enduring at the hands of the Soviet Union. It's ghastly! And I for one am serving notice that I am concerned deeply for these unfortunate, yet still courageous people.

I am all for doing whatever we can as a leading nation to help them in every way possible. Whether it be politically, through pressuring the Soviets, or financially, by supporting the freedom fighters. The time for action is now!

Hopefully yours,

LARRY BOAZ PASSWATERS,
Milford, DE.●

PROBLEMS OF CRIME

● Mr. SIMON. Mr. President, a longtime friend of mine, Dr. George Beto, who formerly headed the prison system in the State of Texas and is now with the Criminal Justice Center at Sam Houston State University in that State, recently delivered the Karl Menninger lecture at Washburn University.

I am inserting it into the RECORD because it is a rather startling statement about where we are on crime prevention and crime detection and apprehension.

If we want to look at the problems of crime long term, I would call your attention to Dr. Beto's comments:

Shortly before my retirement from the Texas State Department of Corrections I asked the Research Division to develop a profile of the prisoner population. The study revealed that of the total population of 16,500 ninety-six per cent were school

drop outs, sixty per cent (using a strict definition) came from broken homes; eighteen per cent were illiterate; the average grade level of achievement being the fifth, with an average I.Q. of 80; twenty per cent were mentally retarded, almost one per cent actively psychotic, forty per cent with no sustained record of prior employment.

His remarks go into other details.

Several things are of interest. One is that, if we want to prevent people from committing crime we act earlier to prevent school dropouts.

The second clear finding is that when there is a record of prior employment the likelihood of crime diminishes dramatically.

Those are the most important lessons to be drawn from his remarks. There are other things as well.

For example, he says:

I know of no nation—there may be one in some benighted area of the globe—where the pre-service training for police is as brief and as superficial as in the United States.

He also suggests that we look at the concept of National Youth Service.

I ask to print his statement in the RECORD and I urge my colleagues to read it.

The statement follows:

REMARKS OF DR. GEORGE BETO

Few distinctions which have come to me during my professional life eclipse that which is mine tonight. To have been asked to deliver the Karl Menninger Lecture is an honor of which I am pardonably proud. Commingled with that pride is considerable humility and a sense of inadequacy when I consider the lecturers who have preceded me.

Karl Menninger is one of the seminal minds of the Twentieth Century. A polymath, his intelligent and humane interests have effected significant change, especially in those areas where "man's inhumanity to man" is most likely to manifest itself; namely, the care and custody of society's deviants.

Over sixty years ago he taught the first criminology course at Washburn University. Almost one-half century ago he was cooperating with the late O.W. Wilson in developing training programs for law enforcement personnel. No single individual was more responsible for removing America's mental institutions from the "snake pit" milieu to an atmosphere of benevolent treatment. I served with him for several years on the American Bar Commission on Correctional Facilities and Services. His was the lone voice on that Commission which repeatedly attempted to direct the attention of the members to a problem which both he and I considered to be the horror of our age—the county jails of this nation.

As I pass the Biblically-allotted three score and ten, I breathe a prayer of gratitude that I was permitted to know Karl Menninger.

It is my hope that the few provocative remarks which are mine tonight will evoke questions and comments from you and—above all—stimulate your thinking regarding a serious problem.

A large part of my adult life has been involved in the criminal justice system either as a practitioner or as a teacher. Those years of involvement with the police, the judiciary, probation and parole functionaries, prison personnel, and thousands of society's

deviants have led me to develop some strongly held opinions, opinions which my students occasionally refer to as Beto's biases. In any event, I cannot emphasize too strongly that the positions outlined in this presentation represent one man's opinion; nevertheless, opinion based on several decades involvement in that which we euphemistically call the criminal justice system.

I

The criminal justice system has broken down

There was a time when I asserted in speeches before civic clubs and at professional meetings that our criminal justice system was on the verge of breaking down. I have revised that opinion; I now hold that it has broken down. In fact, it is not a system. Theoretically the process of criminal justice is a continuum or spectrum beginning with the police, continuing through temporary detention, prosecution, adjudication, possible probation or incarceration, imprisonment, and ideally concluding with parole. As presented here, these various segments in the criminal justice continuum superficially appear to be an integrated whole in which there is a high degree of coordination between and among various entities in the system. Exclusive of the cooperation between the courts and probation, the various segments in the continuum are discrete entities, each willfully ignoring the activities of the other. This abject lack of coordination, cooperation, or integration has resulted in a now-system which is inefficient and ineffective.

Colleagues of mine more expert than I am in the use of statistics and in that which is called police science advise me that of all the felonies committed in the United States today approximately three per cent will result in arrest and less than half that number in incarceration. For example, two years ago Texas Monthly, a reputable and widely read publication in my state, carried a well-written and well-documented article entitled "Burglary Is No Longer A Crime In Texas." In reading the article the harried householder could only conclude that in the event his residence were burglarized, the possibility of arrest of the burglar was remote indeed. The failure to arrest burglars stems from a failure on the part of the police to detect the perpetrator.

The national average for the clearance by police of reported crimes is twenty per cent. In other words, in eighty per cent of the cases the perpetrator is undetected and unapprehended.

Some crime does not result in arrest because of failure to report. Occasionally the news media sensationally describe a bank robbery. The amount of money, however, stolen by bank robbers is small indeed when compared with that purloined by bank employees, much of which is unreported, especially in smaller communities.

The American citizen, as a result of periodic service on a jury or his viewing a T.V. melodrama, labors under the wholly false impression that those arrested for the commission of a felony are tried by a jury of their peers. Quite the contrary occurs. In the United States over ninety per cent of the criminal cases are settled by plea bargaining. Almost invariably the bargaining results in a conviction for an offense lesser than that actually committed. Trials have come to resemble medieval morality plays; occasionally we conduct a celebrated trial in an effort to show the citizenry that the system is still working, albeit imperfectly.

Above the Judge's Bench in the courtroom of my home county are etched in prominent letters the words "Equal and Exact Justice." When applied to the total criminal justice system, these words are little more than a hollow mockery.

II

Crime pays

Most of us were reared in homes and educated in public schools in which the axiom "crime doesn't pay" was impressed upon our young minds. Unfortunately for all of us crime does pay for a significant segment of our population.

Some few years ago, I asked the owner of a large chain of Texas convenience stores what his losses from theft were the previous year. His immediate answer was 1.9 million dollars. My next question was: "Were the thefts primarily internal or external in nature". He answered "internal". The cost of preventing thefts by employees by underwriting the security necessary to prevent them would exceed that of writing off the losses or compensating for them by increased prices.

The Wall Street Journal carried an article in which the writer asserted that forty per cent of the employees in retail establishments engage in some type of theft in which the perpetrator is usually undetected. The Texas Monthly article to which I referred earlier clearly indicated that burglary pays for those people who have chosen burglary as a way of life.

The occasional and well publicized "busts" made in connection with the narcotics traffic should not delude us into believing that the illicit importation and sale of narcotics does not on balance represent a lucrative endeavor. A recent CBS study revealed that the profits from drug trafficking exceed those of the corporations listed among the Fortune 500.

We could go on by discussing income tax evasion and white collar crime generally, much of which is undetected and the offender unapprehended and unpunished.

Accordingly, what we have in America's bulging penitentiaries is a small segment of the total criminality in our society. The prison, generally speaking, houses for a brief priod (an average of four months in Hawaii to an average of forty-three months in Idaho) the flotsam and jetsam of society, the poor, the stupid, and the inept. Shortly before my retirement from the Texas Department of Corrections I asked the Research Division to develop a profile of the prisoner population. The study revealed that of the total population of 16,500 ninety-six percent were school drop outs, sixty percent (using a strict definition) came from broken homes; eighteen percent were illiterate; the average grade level of achievement being the fifth, with an average I.Q. of 80; twenty percent were mentally retarded, almost one percent actively psychotic, forty percent with no sustained record of prior employment, fifty percent under the age of twenty-five, forty-two percent Black, Thirty-eight percent Anglo and twenty percent Mexican. We repeat that this group of felons, a segment of that which it is popular today to call American's permanent underclass, represents a small part of the total criminality; the balance—not being stupid, inept, nor poor, has found criminal behavior relatively profitable.

III

The American people don't want effective law enforcement

It is my opinion that the American people at worst don't want effective law enforcement, and at best are willing to tolerate a high degree of lawlessness.

I recall that brief period in the Sixties when the Texas statute on the possession and use of marijuana was extremely strict, considered by some to be Draconian in nature. During that period a young Black man from Harris County, Lee Otis Johnson, was sent to the penitentiary under a thirty-five year sentence for the possession of one marijuana cigarette. During that same period of time young men and women from middle and upper class families, young men and women who attended for brief periods Texas institutions of higher learning, began to be processed through the prison's reception center. In fact, so many of them came that the average I.Q. of incoming prisoners in one calendar year increased by ten points and the average grade level of achievement was raised by one grade. This phenomenon has a high degree of correlation with the subsequent action of the Texas Legislature whereby the penalties for the use of or possession of marijuana were radically reduced. The people obviously did not want even an attempt at effective marijuana control.

Another area indicative of our lack of a desire for effective law enforcement—the United States is the only nation with which I am familiar with a completely decentralized and correspondingly ineffective police force. On the state level we have constables, sheriffs, municipal police, a state highway patrol, alcohol beverage control officers—all overlaid with a plethora of federal law enforcement agencies ranging from officers of the Alcohol, Tobacco, and Firearms Service to the Federal Bureau of Investigation. During the Christmas Season, when complaints were raised regarding the high rate of crime against person and property in the vicinity of the Harris County Courthouse, those of us who read the Houston papers and view Houston television were treated to the almost ludicrous spectacle of constables' minions, Houston police, and sheriff's deputies on horseback—all patrolling the area.

If we wanted effective policing we would have a unified and professional police force, at least on the state level, rather than the relatively amateur forces we currently tolerate. I know of no nation—there may be one in some benighted area of the globe—where the pre-service training for police is as brief and as superficial as in the United States.

Another area indicative of our tolerance of ineffective law enforcement lies in our refusal to demand an exhaustion of legal remedies. While violations of the principle of exhaustion of remedies are evident in both civil and criminal cases, the most illustrative example is found in the case of the death penalty.

The Fifth Amendment clearly authorizes the death penalty when it speaks of "capital or otherwise infamous crimes". Public opinion polls repeatedly reveal that the American people favor the imposition of the death penalty. Month after month juries assess the death penalty and yet executions are comparatively rare. Currently over 1,700 men and women languish year after year on Death Row, increasing currently at the rate of thirteen per cent per year. While not advocating the death penalty, I cite these grim figures to illustrate our unwillingness to set limits on the exhaustion of remedies.

Three authors, Gurr, Grabosky, and Hula, writing in "The Politics of Crime and Conflict," stated . . . "A modicum of social order (is) rare in complex societies; where it is found, it is more likely to be the result of long-term social engineering, consistently applied, than the workings of natural social forces. The processes of "social engineering" are manipulative and often oppressive, a circumstance that raises a fundamental question: Are the costs of social disorder more bearable than the costs of order? The question has no empirical answer." I would submit that the American people have answered this question in the affirmative.

A psychiatrist acquaintance of mine who specializes in the emotional problems of children and adolescents is—with a colleague—currently writing a book, the publication of which I await with eager anticipation.

The burden of the book is an analysis of childhood experiences of adults who have achieved some success in life. His definition of the successful life is broad, not restricted to those who have achieved financial success. While the book is in the formative stages, he nevertheless shared with me some of his tentative findings. The childhood of these people who had achieved apparent success was characterized by a deeply religious atmosphere in the home (although as adults in many instances they did not practice any formal faith); they were reared in households in which the mother read to them regularly; the family ate at least one meal together each day; the work ethic prevailed; the mother was a strong personality; there was an exposure to excellence in one form or another.

The conversation with the psychiatrist reinforced a long held belief of mine that strong family solidarity serves to prevent crime. Also, a deeply held religious or moral ideology (not necessarily Christian) which controls individual behavior is a further antidote to crime. A visit to poverty-ridden Cairo to evaluate some programs financed by the United States Government persuaded me that Islam as a controlling religious ideology and strong family solidarity accounted for the comparative lack of crime in that densely populated city. Neither the Congress of the United States nor a state legislature can effect either of these conditions by legislation.

Frequently we are advised that enhancement of criminal sanctions, i.e. longer sentences, restriction of the use of probation, the elimination of parole by the use of fixed, mandatory, or prescriptive sentences, will reduce crime and bring order to our disordered society. Experience and empirical research have indicated clearly the futility of those approaches. I do believe, however, that certainty and swiftness of punishment for infractions of the law will reduce crime. We have neither currently in the enforcement of the law of our land.

I would like to conclude on a positive note. A couple of congressmen have introduced legislation for some type of national youth service. A concept which has considerable merit. I would suggest that all young men and women at the age of eighteen or upon graduation from high school be required to serve in some form of public service for one year. The implementation of that proposal would have a number of beneficial results not the least of which would be the introduction of our youth to a disciplined existence during an important and formative period of their lives. Too, inasmuch as the bulk of the reported crime in the United

States is committed by those between the ages of fourteen and twenty-four, such a mandated service would remove from our general population for a year or eighteen months a significant segment of that crime-prone group.

Several years ago Karl Menninger wrote a book bearing the provocative title: whatever happened to sin? In the book the distinguished author pleaded for a re-inculcation of a sense of individual responsibility in our society. Both he and I recognize that tinkering with, or—to use an analogy unfamiliar to many of you—"cold patching" our criminal justice system will avail little. Only the development of that sense of responsibility on the part of our citizenry can result in improvement.

In the meantime, those of us who work in the criminal justice system wait with hope deferred for a John Howard, a Zebulon Brockway, an Enoch Wines, another Karl Menninger. While awaiting that leadership, I would encourage the young men and women working in the criminal justice system or preparing for work in that endeavor not to despair but to follow the example of a Connecticut legislator. In 1783, the legislature was meeting in Connecticut. The sky, which had been clear, became dark and finally black. Many of the legislators fell on their knees and began to pray, believing that the end of the world was at hand. A member moved for adjournment. The speaker of the House, a redoubtable soul, announced: "The world is either coming to an end or it is not. If it is not, we have nothing to fear. If it is, I choose to be found working. Therefore, let the candles be brought forth."

Let your slogan, your watchword be: "I choose to be found working; let the candles be brought forth."●

ADOPTION BENEFITS
LEGISLATION

● Mr. HUMPHREY. Mr. President, today, Representative PAT SCHROEDER introduced companion legislation to S. 268 and S. 269, which provides adoption benefits for Federal employees and members of the Armed Forces. I introduced S. 268 and S. 269 on the first day of this Congress.

PAT SCHROEDER and GORDON HUMPHREY admittedly make a political odd couple. So the fact that we are together supporting legislation to relieve financial barriers to adoption should demonstrate beyond question the eminent wisdom of these bills. It should also encourage Senators from both parties to support this legislation.

As an adoptive parent, I know from first hand experience that adoptive parents are just like any others. But in their attempts to form a family, adoptive parents often face formidable barriers that biological parents never confront. One of the cruelest barriers to adoption is its considerable cost.

Employers assist biological parents to meet the costs of creating families by providing health insurance coverage for prenatal care and the expense of labor and delivery of the child. In the past, however, no assistance has

been available through such employee benefit plans for adoptive parents.

Yet the costs of adoption are similar to those incurred by biological parents, as typically the adoption agency charges the new parents for the costs of prenatal care for the mother, delivery, and the baby's care in the hospital. In addition, adoptive parents may be required to pay the cost of the baby's foster care from the time it is released from the hospital nursery until they take custody, as well as the expenses for preadoption and postadoption counseling, and legal fees. The average total cost in 1985 for those who adopted through a nonprofit agency was at least \$6,000. When transportation or other special fees are required, as in many adoptions from other countries, the cost may be even higher.

Fortunately, in recent years the private sector has begun to recognize the inequity of providing benefits for biological parents but not for adoptive parents. A growing number of corporations—almost 50 at latest count—are establishing adoption benefits plans for their employees. State and local governments are also beginning to develop employee adoption assistance programs.

Now it is time for the Federal Government to bring its employee benefits plans up to date by establishing adoption benefits for Federal civilian workers and members of the Armed Forces. Our bills would provide reimbursement of up to \$2,000 for expenses incurred in the adoption of a child. Qualifying adoption expenses would include agency fees, placement fees, legal fees, medical expenses, foster care charges, and transportation expenses.

Adoptive parents are not asking for special treatment because of the high costs of building a family through adoption. My main point is that they are simply asking for equal treatment to that provided to biological parents through employee benefits plans.

The alliance between Representative SCHROEDER and myself in this effort demonstrates that support of adoption transcends party and ideology. In spite of any differences we may have in other areas, we are united in our effort to promote adoption benefits and to require the Federal Government to treat equitably its employees who become adoptive parents.

Mr. President, this isn't just ordinary legislation. These are bills that would help give life itself to the children, and to the thousands and thousands of couples who want to open their homes and their hearts to them, but who just cannot afford the cost.

I encourage Senators to examine this important legislation and join in support.●

AUTHORIZATION OF TESTIMONY

Mr. BYRD. Mr. President, I send to the desk a resolution, on behalf of myself and Mr. DOLE, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 196) to authorize testimony by Samuel Thornton Hall and Barbara Mook in the case of *Commonwealth of Kentucky v. Geoffrey M. Young*.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD. Mr. President, in August 1986, an individual who was protesting aid to forces opposed to the Nicaraguan Government was charged with criminal trespass for refusing on several occasions to leave Senator McConnell's Lexington, KY office, even after its regular closing time. The case is pending in the Fayette District Court in Kentucky, and the trial is scheduled to begin April 30.

The prosecution and the defense have subpoenaed Samuel Thornton Hall, who was employed as Senator McConnell's field representative in the Lexington office at the time of the demonstration. The defense has subpoenaed Barbara Mook, who continues to be employed in Senator McConnell's Lexington office. In previous sit-in cases the Senate has authorized the testimony of Senate employees about events directly related to the charges. The resolution would authorize the testimony of Samuel Thornton Hall and Barbara Mook.

The resolution was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 196

Whereas, in the case of *Commonwealth of Kentucky v. Geoffrey M. Young*, No. 86-M-7348A, pending in the Fayette District Court in the Commonwealth of Kentucky, Samuel Thornton Hall, a former Senate employee in Senator Mitch McConnell's Lexington, Kentucky office, has been subpoenaed to testify by the Commonwealth of Kentucky and by the defendant, and Barbara Mook, a current employee in Senator McConnell's Lexington, Kentucky office, has been subpoenaed to testify by the defendant;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by the judicial process, be taken

from such control or possession but by permission of the Senate;

Whereas, when it appears that testimony by present and former Senate employees may be needed in any court for the promotion of justice, the Senate will act to promote the ends of justice in a manner consistent with the privileges and rights of the Senate; Now, therefore be it

Resolved, That Samuel Thornton Hall and Barbara Mook are authorized to testify in the case of *Commonwealth of Kentucky v. Geoffrey M. Young*, except concerning matters which are privileged.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was adopted, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR MORNING BUSINESS TOMORROW

Mr. BYRD. Mr. President, I ask unanimous consent that after the two leaders have been recognized under the standing order, there be a period for morning business, not to extend beyond the hour of 10 o'clock, that Senators be permitted to speak therein for not to exceed 2 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF THE BUDGET RESOLUTION ON TOMORROW

Mr. BYRD. Mr. President, I ask unanimous consent that on tomorrow, at 10 o'clock, the Senate resume the consideration of the budget resolution, on which the pending question will be the amendment by Mr. CHILES.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until 9:30 tomorrow morning.

The motion was agreed to, and at 6:08 p.m., the Senate recessed until tomorrow, Thursday, April 30, 1987, at 9:30 a.m.